



Debates

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Wednesday, 5 December 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.

Petition

*The following petition was lodged for presentation, by **Dr Foskey**, from 1,103 residents:*

Rivett school

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:

The ACT government proposes selling the Rivett School to private interests in order that an aged residential facility is developed on the site.

Your petitioners therefore request the Assembly to:

Retain the school and develop it for use by the local community: maintain and upgrade the buildings for uses such as much needed indoor recreation, childcare, meeting rooms, offices for local business; preserve the grounds for non-sporting recreation and community uses such as community gardens, community festivals and events, cultural and artistic uses.

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

Dr Foskey: Mr Speaker, I seek leave to make a very brief statement.

Leave not granted.

Government Transparency Legislation Amendment Bill 2007

Withdrawal of bill

MR SPEAKER: On 13 November 2007, Mrs Dunne gave notice of a motion to present a bill for an act to improve transparency, accountability and good government practices and for related purposes. On 14 November 2007, Mrs Dunne presented a bill which had as its long title "A bill for an act to amend legislation to improve transparency and accountability in government for related purposes". Standing order 169 requires that the title shall agree with the notice of presentation, which did not occur in relation to this bill. Standing order 170 requires that every bill not prepared in accordance with the standing orders shall be ordered to be withdrawn. Accordingly, I call on the member to move that the bill be withdrawn.

Motion (by **Mrs Dunne**) agreed to:

That the Government Transparency Legislation Amendment Bill 2007 be withdrawn.

Government Transparency Legislation Amendment Bill 2007 [No 2]

Mrs Dunne, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MRS DUNNE (Ginninderra) (10.33): I move:

That this bill be agreed to in principle.

Today I re-present the Government Transparency Legislation Amendment Bill. This bill is the result of my experiences and those of other members of the Canberra community over the last year in our attempts to obtain information about the motivations of the Stanhope government in its decisions to close 23 schools in Canberra.

We all remember that in April 2006 the new minister for education, and new member of the Legislative Assembly, Mr Barr, made commitments to openness. He said in this place on a number of occasions that everything in relation to school closures would be on the table. That was another of the great Labor lies in relation to school closures. Like the other great lie, which was that “We won’t close schools in this term,” the commitment to openness was an empty one. My experiences as the shadow minister for education, and those of countless members of the community over the last year, and continuing to this day, have been that the Stanhope government’s commitment and Mr Barr’s commitment to openness and accountability were mere words and nothing else.

The proposed amendments in the bill I have introduced today begin what the Canberra Liberals see as being a very overdue revamp of the Freedom of Information Act. These first steps are taken as a result of my experiences and the experiences of my constituents.

I would like to give members some context and the reasons for my passion on the subject of freedom of information. Back in 1982, when the commonwealth freedom of information legislation was introduced, I was a freedom of information officer. I helped to set up the FOI arrangements in the commonwealth department of education before the act commenced and I worked as an officer providing advice on the release of documents for some time after the commencement of the act.

Over the years, I have had considerable contact with freedom of information matters. When I was a staffer to a minister in this place, it was one of the things that I was very concerned was done properly. One of the first occasions when I realised that there was trouble afoot in the ACT when it came to FOI matters was when I was approached by an official who rang me and said, “We have got this FOI request about a particular matter and there are some documents here that might embarrass the minister if they were released.” The official asked me, “What do you want me to do?” The official was told to go away and apply the act irrespective of whether a minister would be embarrassed by it or not. It is the official’s job, after the release of documents, to perhaps tell the minister or the minister’s office that those papers had been released,

but it is not the official's job to take into account whether a minister might be embarrassed by the release of documents.

This is the principle that I have applied to the Freedom of Information Act, in and out of government, as a public servant and as a ministerial adviser. I would like to think that I would continue to do that if I was ever privileged to become a minister in the ACT. I think, therefore, that I have a fair track record that gives me some insights into what is needed here.

What we are seeking to do today is to take the first steps to reform administrative law in relation to people's access to information. The Government Transparency Legislation Amendment Bill does four things. It amends the Financial Management Act to make provisions for the publication of the report of the strategic and functional review of the ACT public sector and services. It highlights the responsibility of respondents in a freedom of information matter to assist the Administrative Appeals Tribunal in reviewing the material in question. It removes most of the circumstances where a minister can issue a certificate under the Freedom of Information Act. And it increases the status and applicability of the model litigant guidelines.

The Stanhope government was elected in 2001 on a platform of reform of the Freedom of Information Act, but it has done nothing about it. The only reforms of the Freedom of Information Act were introduced recently by the current attorney and made it easier to issue conclusive certificates, not harder.

Going through the provisions of this bill, let me say that clauses 1 to 3 are the usual mechanical provisions and clause 4 sets out the purpose. The purpose of the bill is to improve transparency and accountability in the exercise of functions of the ACT territory executive by ensuring that decision makers take all reasonable steps to assist the proceedings of administrative review decisions, promoting freedom of information by limiting the ability of ministers to issue conclusive certificates and establishing a statutory basis for the model litigant guidelines.

The substance of the legislation is contained in the schedule of consequential amendments. The consequential amendments amend the Financial Management Act by inserting a new part 9A which relates to the report of the strategic and functional review of the ACT public sector and services, sometimes referred to as the functional review or the Costello report.

Part 1.1 of the schedule creates a new section 126 of the Financial Management Act which defines and describes the functional review as the report of the strategic and functional review of the ACT public sector and services. And to remove any doubt about the identity of the document, the explanatory memorandum includes a copy of the conclusive certificate issued over this document by the Chief Executive of the Chief Minister's Department on 5 September 2006.

New clause 127 of the Financial Management Act requires that, three weeks after the commencement of this law, the responsible minister must publish both electronically and in printed form the functional review, and make it available for purchase or inspection. New clause 128 of the FMA makes it clear that the Freedom of Information Act would not provide exemptions to the release of the Costello report once this law is passed.

The 2006 budget was premised on the information contained in the Costello report. There have been numerous attempts through mechanisms of this house, by freedom of information, to obtain what should be a public document. Until now, the government has hidden behind a range of ruses and said, “We can’t release it because it is cabinet-in-confidence.” Making something cabinet-in-confidence does not mean that it must be kept secret. At any time a minister can say, “Even though this is a cabinet-in-confidence document, I am releasing it to the public.” This legislation makes provision for the people of the ACT to see the reasons behind the draconian cuts in the 2006 budget by releasing the Costello report.

The rest of the legislation is about making the administrative processes in relation to access to information better and clearer. Part 1.2 of the schedule amends the Administrative Appeals Tribunal Act 1989 by inserting new section 32 (1A), which requires a respondent in a review of a decision to take all reasonable steps to assist the tribunal in making its decision. This provision almost exactly mirrors the provisions in the relatively new section 33 (1AA) of the commonwealth Administrative Appeals Tribunal Act. This is a simple change that makes sure that public servants are just that—that they serve the public; that, when they go to a review of a decision they have made, they assist the decision maker in coming to a conclusion about whether that original decision was a well-made one; and that they do not find means of obfuscating.

The real meat on the bones is contained in part 1.3 of the schedule. These are amendments to the Freedom of Information Act 1989 which remove the power of ministers to issue conclusive certificates under sections 35 and 36 of the act. That is in relation to cabinet documents and internal working documents. I considered removing certificates in relation to national or commonwealth-state relations matters but decided not to go there at this stage; I believe that this is something that needs to be discussed at COAG level. Some of the documents that could come under the exemptions relating to national security and commonwealth-state relations may be not documents of this territory but documents that have come into the possession of the territory. It would perhaps be inappropriate for someone to use a loophole to get these documents which otherwise may not be released. Matters in relation to national security and commonwealth-state relations need to be discussed at a national level and they need COAG agreement.

It is interesting that the new Prime Minister has made commitments to remove all conclusive certificates from the commonwealth freedom of information legislation. I ask the current attorney to take a leaf out of the book of his national leader and to follow him down the path of doing something about conclusive certificates.

Part 1.4 of the schedule removes the power of the minister to issue conclusive certificates under section 35. Part 1.5 of the schedule removes the power of the minister to issue certificates under section 36 of the Freedom of Information Act. The subsequent parts, 1.6 to 1.23, are consequential amendments to remove further references to certificates in the Freedom of Information Act.

As I have said, these laws begin the process that the Stanhope government said it would introduce when it came to power in 2001. It said that it would open the windows and let the light in; instead it has been doing business in the darkest cellars.

Far from reviewing the freedom of information system to promote transparency, it has raised to the level of an art form the abuse of the system to hide from accountability, to quash potentially embarrassing information. In particular, it has cynically used loopholes to sabotage the extensive review provisions built into the existing legislation.

The worst example of this has been the abuse of conclusive certificates. These certificates were intended to be used in exceptional circumstances for documents that are so sensitive that not even the reviewer can see them—things such as national security matters. But emboldened by the decision in the McKinnon case last year, the Stanhope government have used them for documents that they did not want the reviewer to see because if the reviewer saw them it would be obvious that there was no basis for their suppression.

Towards 2020 is a prime example of how the government has become an abuser of the FOI system. Literally thousands of pages of school closure documents were suppressed out of pure political cynicism. I have come to the conclusion that the only way to make FOI work in the ACT is to remove the mechanisms for conclusive certificates as they relate to territory documents. Frankly, I do not believe that there is any legitimate use for them in a place like the ACT in relation to cabinet or internal working documents, and it is not something that this government can be trusted with.

This bill puts the process under closer public scrutiny by taking away a minister's power to issue conclusive certificates. In doing so, the Canberra Liberals are seeking to create a fairer and more transparent government, while the Stanhope government is running in the opposite direction.

Part 1.4 of the schedule amends the Law Officer Act 1992. It gives recognition to the ACT model litigant guidelines. Clause 1.24 gives new powers and responsibilities to the Attorney-General to ensure that legal work that he oversees is done in a proper fashion. Clause 1.25 requires the Attorney-General to produce and publish model litigant guidelines and requires that all people performing territory legal work comply with the guidelines. These published guidelines would be a notifiable instrument. This is not an onerous task for the attorney, because model litigant guidelines already exist and they mirror the commonwealth model litigant guidelines. But this raises those guidelines to a new status where they have more effect.

The new part 5AC of the principal act, the Law Officer Act, requires the chief executive of the attorney-general's department to report on compliance with the model litigant guidelines and report any breaches that have been brought to the public's attention. Again, this is a simple change that makes sure that the people serving the public are doing just that, whether they are public lawyers or people employed by the public on behalf of the ACT government, so that they are actually serving the people who are paying for them.

As I have said, the model litigant guidelines already exist. This legislation raises their status in a way that ensures that people will have a better regard for the operation of the model litigant guidelines. In a sense, it does not create much new work for the attorney, but the passage of this bill will create an opportunity for a review of the model litigant guidelines, to have them published and to give them status. It would be

possible for future tribunals, magistrates and judges to comment adversely if a public lawyer or a lawyer acting on behalf of the territory did not comply with the model litigant guidelines; this would be a considerable rebuke for a lawyer and that is why we have done this.

The experience that prompts me to do this is the experience that I have had in the Administrative Appeals Tribunal and that other community members have had in trying to make AD(JR) cases and the like in the Supreme Court. The obfuscation that we have experienced at the hands of government lawyers shows that they are not working in a spirit of openness and cooperation.

It is timely that this legislation has been introduced today because it coincides fairly roughly with the report compiled from the internal audit on the state of free speech in Australia chaired by Irene Moss, AO, which was published on 5 November. I commend the 300-odd page document to the attorney and to the Chief Minister, who have both claimed to be bastions of free speech and human rights in the ACT. It makes sobering reading.

There is not much direct reference to the ACT in the report, because it is a small jurisdiction, but there are many lessons in this piece of reporting that we should be taking into account. It will certainly be the bible, to an extent, that the Canberra Liberals will be using when they undertake their reform of administrative law in relation to freedom of information. It is timely to quote from Irene Moss's report in relation to freedom of information. In her summary in relation to freedom of information, she says:

FOI laws work effectively and reasonably consistently when they are used to provide access to personal information ... A range of factors limit their effectiveness in ensuring access to documents relevant to government accountability ...

That is the very reason for them in the first place. The Freedom of Information Act was never really designed to give people access to their own documents; it was designed to give the people of Australia access to documents in relation to how government works and what a government was thinking about when it made particular decisions. Irene Moss goes on to say:

No government, federal, state or territory, has taken sustained measures to deal with an enduring "culture of secrecy" still evident in many agencies.

That is the culture of secrecy I experienced as a ministerial adviser when someone said to me, "Perhaps we should not release this because it might embarrass the minister." That culture of secrecy still exists today. Irene Moss goes on to say:

There are few visible, consistent advocates of open government principles, within government systems and leadership on FOI is lacking.

Today, the Canberra Liberals are taking leadership in relation to FOI in the ACT. We will see the Stanhope government coming scurrying afterwards. In February and March 2001, Jon Stanhope made great commitments to amend the Freedom of Information Act, but he has done nothing. Today, the Canberra Liberals are starting to

make the changes that he said he would make in 2001. We are taking leadership where he has been lacking.

It is useful to look at the experiences of other jurisdictions in relation to access to freedom of information documents. We just need to look across the ditch to New Zealand. Quoted on page 117 of Irene Moss's report is an assessment of what happens under freedom of information in New Zealand. The report quotes the following statement:

A visit to the websites of New Zealand government agencies will reveal a plethora of Cabinet Papers, minutes and internal policy documents that have been released under the Official Information Act—

that is the New Zealand equivalent—

The release of this type of material has often embarrassed the New Zealand government, posed difficulties in trying to persuade informed critics and limited the capacity to spin a policy development when the media has access to the full set of policy and briefing papers. Yet there has been little sign of the nightmare scenarios that have been painted by senior Australian civil servants ever since Senator Lionel Murphy tabled a proposal for a FOI at the first full Cabinet meeting in 1973.

New Zealand has done what many people, including the ALP, have been talking about for a long time. When the ALP has got to government, it has not had the courage to do it. New Zealand has done it, and the world has not come to an end.

It is timely to talk about some things relating to culture. There have been a number of reviews of the Freedom of Information Act. In 2006, the Commonwealth Ombudsman reviewed the commonwealth Freedom of Information Act. He said:

A person's enjoyment of the rights conferred by the FOI Act should not depend on the agency to which their FOI request is made. There should be a uniform commitment to FOI objectives across government—a whole of government standard, as it were. We expect all agencies to perform at a uniform standard in administering financial integrity laws, and we can equally expect consistency in the administration of democratic integrity laws.

Today, the Canberra Liberals are again taking a stand. This is the first of our stands in relation to freedom of information. We will be ensuring integrity, openness and access to free speech and information in this territory. It is time that the Stanhope government got on board. I commend the bill to the house.

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

Long Service Leave (Private Sector) Bill 2007

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

Title read by Clerk.

MR BERRY (Ginninderra) (10.55): I move:

That this bill be agreed to in principle.

The bill I introduce today is the Long Service Leave (Private Sector) Bill 2007. The bill, if successful, will give private sector workers a portable and secure long service leave scheme. It will bring long overdue fair access to long service leave for private sector workers in the Australian Capital Territory at no cost to the territory budget.

Long service leave in Australia dates back to the Victorian and South Australian civil services in the 19th century, when officers were allowed to return “home” to England for up to six months on full pay or 12 months on half pay after 10 years service. It was extended to most public sector employees by the end of the 1920s, then to federal awards by the late 1940s. Long service leave was enacted in all states in the 1950s. It is a longstanding entitlement that has grown steadily as Australian living standards have improved but which is now being eroded by changing workplace conditions.

Entitlements for workers in the ACT private sector are calculated at the rate of 8.667 weeks long service leave at 10 years service. Public sector workers are entitled to 13 weeks after 10 years. The 1996 amendments to the building and construction industry scheme increased the entitlement in that industry from two months to three months after 10 years.

Increasingly, over the years of the Howard government, we have seen workers’ entitlements and job security eroded. We have seen more workers on contracts rather than with tenure and we have seen at the same time workers left vulnerable through a lack of security for their entitlements and their jobs. In other words, the workplace has become less fair. Labor promised a private sector long service leave scheme in 2001, and in 2003 I introduced a bill which was referred to the Standing Committee on Legal Affairs. The committee recommended by a majority that the bill be agreed to in principle.

This Long Service Leave (Private Sector) Bill 2007 updates the bill introduced in 2003. It is modelled on the successful schemes in the building and construction and contract cleaning industries. The building and construction industry scheme has been in place since 1981. It is in place in each state and territory with reciprocal rights for workers all around the country. Because of its size and maturity it is a good example of how these schemes work. Its board has invested wisely and has significant assets, which has led to a fall in the levy rate of the fund to one per cent.

The contract cleaning industry fund is newer and smaller but already it has growing assets, and workers who were once vulnerable to losing their continuous employment status because of changes in contracts are now earning industry-portable long service leave credits. The contract cleaning industry has some of the lowest paid employees and most are women, so it is particularly pleasing that the fairer scheme this Assembly approved in 1999 is now delivering benefits to these workers. When we debated the bill there were cries from parts of the business community and the scheme was portrayed as radical, but the success of the ACT scheme has now seen a similar scheme introduced in Queensland.

My work on improving the building and construction industry scheme and starting the contract cleaning industry scheme led me to consider all those workers who were left out. Every time I saw a business failure or saw workers moving from one employer to another in this changed working world, I was reminded of the importance of portability and security of entitlements.

One example of this was highlighted in the ACT when the Florey medical centre went into receivership some years ago. Once again, workers' entitlements evaporated. I shared the dismay, frustration and sense of injustice suffered by one of the workers from the Florey medical centre and I promised that I would continue to work to protect workers' entitlements. I remember also Woodlawn Mines and Ansett—two high-profile cases.

The problem was recognised even by John Howard himself when his brother's company, National Textiles, went broke. The commonwealth's general employee entitlements and redundancy scheme—GEERS—was set up but it focuses on exceptional circumstances, it has limitations and workers are often still out of pocket. Of course, it takes times for GEERS claims to be processed and does nothing for the portability of entitlements. GEERS was a political response by a government in trouble using taxpayers' money to fix a political problem and begs the question: why should taxpayers' money fund an employer's responsibility? However, business failure pales into insignificance against the disadvantage of the lack of portability and shorter tenure in the changed working world.

The bill I am introducing today will make it fairer for workers in the private sector—those workers not already covered by the schemes in the building and construction industry and the contract cleaning industry. It will be a portable scheme where the entitlements of workers are held in a secure fund to protect them against sharp business practices. Like the existing schemes, it will be managed by a tripartite board from government, business and unions. This bill will not increase the private sector long service leave entitlement but it will improve access to it.

When debating the Long Service Leave (Contract Cleaning Industry) Act in 1999, we met workers in the industry and one told her story. She had been doing the same job for 25 years without access to long service leave. This story repeats itself among community sector workers, transport workers, retail workers and clerical workers. And governments add to the problem in the private sector when they contract out government work to the private sector, where long service leave becomes a distant dream.

Public servants working in the ACT earn 13 weeks long service leave after 10 years service, but those working in the private sector on contracts issued by the government earn only 8.667 weeks after 10 years—if, indeed, they last that long. However, since contracts are usually for five years or less, contractors and their employees do not accrue long service leave. The Assembly has a proud history over a number of years of securing, improving and guaranteeing long service leave in the private sector. As our private sector grows, we need to continue that work.

The work environment has changed markedly since the 1950s when long service leave in the private sector became the norm. Job security is a thing of the past. The

concept of a job for life is now rare. Many more workers are on temporary, short-term and casual contracts. Workers can have several employers at once or over the period of a year. Those in full-time employment are working longer hours with less paid overtime. Penalty rates for out-of-hours and weekend work are at risk.

The Australian Bureau of Statistics *Labour mobility* publication records that, in February 2006, 57.7 per cent of Australians had been in their current job for five years or less, and 75.3 per cent for 10 years or less. Most significantly, over 21 per cent had been in their current job for less than one year. These figures reflect that even in current times when unemployment is at historically low levels many Canberrans do not get to take long service leave and many people never even reach their pro rata entitlement.

We now have the situation where people are working longer hours under increased pressure to be more productive but with little or no job security. The increased stress, pressure and uncertainty in the workplace add up to a case that there is a greater need for workers to have access to leave, but many miss out altogether on long service leave, even though they work continuously for much more than 10 or 15 years at a time.

More than 90 per cent of employment growth over the last 20 years has been in casual and contract work that does not accrue long service leave. So the work patterns are changing, often with the aim of reducing costs by minimising workers' entitlements. But this does not remove the obligation on society to provide just outcomes for these workers. This bill creates a level playing field for employers, rules out the minimisation of long service leave entitlements to make an enterprise more competitive and will make private sector employment a fairer place to be.

The ABS employee earnings, benefits and trade union membership survey shows that, of the 97,723 private sector workers in the ACT, 34,000 are part-time employees—a good example of the changing nature of the working world. For workers in the public sector, long service leave is an important employment condition. Not only are they entitled to 13 weeks long service leave after 10 years, but the condition is portable. A public sector worker carries their entitlement with them across ACT departments and agencies, between the ACT and commonwealth public sectors and even from other states and the Northern Territory.

The ABS informs us that there are about 77,000 public sector workers and about 98,000 workers who, with the exception of the building and construction industry and contract cleaning industry, miss out on portable long service leave. Is this fair? These starkly different conditions are another element of the difficulties faced by private sector employers in the competition to attract skilled employees.

An examination of the ACT public sector management standards shows that, when considering long service leave portability for ACT public servants, the list of public service departments and agencies here, in the commonwealth and across the country extends to 799 agencies as well as every school, university and hospital in the country. The list includes zoos, railways, banks, quarries, art galleries, TABs, bus and rail systems, film corporations, state rifle associations, local government and airlines. The commonwealth list is simpler and extends long service leave portability to any

employee of a state or territory or an agency of a state or territory. Now that is portability.

To illustrate the disadvantage of private sector workers, take the public sector worker who starts work as a labourer, moves on to a clerical position, then on to a position with another state or territory and back to the commonwealth. This worker has all his service counted as long service leave. Take a cleaner in a shopping centre who gets a retail job in a shop in the centre, then moves to a clerical job in some professional suites, then on to a managerial position in a shop. This worker does not accumulate long service leave for all of those jobs. So a public sector worker can work for 20 years in, say, 10 separate jobs at less than five years service in each and will end up with half a year of long service leave. A private sector worker in the same circumstances, unless they are in the building and construction or contract cleaning industry, gets nothing. Is that fair?

Portability of long service leave in the building and construction and contract cleaning industries extends across employers in two discrete industries. Of the two schemes, the building and construction industry scheme is more longstanding. It has been in place in the ACT since 1981, and I remember the struggle to get portability over 20 years ago. It is a national scheme, with building and construction workers carrying their entitlement with them when they move interstate. Over the time that the scheme has been in place, the building industry has not suffered, it has grown, despite what was said by the doomsayers at its inception.

Employers have seen the benefits of a level playing field in tendering. They all pay the same rate to cover their employees for long service leave, so there is less or no attraction to manage out long service leave entitlements to bring down costs. Employees in the industry have seen the benefit of earning long service leave credits while they work on a number of jobs for different employers, even in different states. They have also seen their entitlement increase because of the growth of the fund. Their entitlements have been protected against bankruptcies, so the taxpayer has not had to foot the bill when companies fail, as they did for workers hit by the failures I mentioned earlier, such as Ansett, National Textiles, Woodlawn Mines and others since. My efforts on behalf of workers in the contract cleaning industry in 1999 have paid off, with their fund now up and running and their entitlements protected. The contract cleaning industry has not failed because of this scheme. Nor have all the businesses packed up and moved interstate, as was once claimed.

The bill I am introducing today will not disadvantage responsible ACT employers. In fact, in the long term they will probably see significant benefits. Those who will be most perturbed about the bill will be those employers who do not currently make provision for their employees' long service leave entitlements. The experience of the building and construction industry fund is that, with judicious investment strategies, the fund's earning capacity increases the value of assets and the levy can be lowered. Indeed, the current levy is considerably less than the costs for an employer provisioning for the entitlement.

The success of the contract cleaning legislation led me to have discussions with a range of unions covering private sector workers. They all had examples of workers who, because of company failures or commercial contract changes, had missed out on

long service leave. It was this consultation that led Labor to promise before the 2001 Legislative Assembly election that it would put in place a new private sector long service leave scheme.

In recent years, there has been uncertainty about industrial relations policy settings in the ACT because of the Howard government's propensity to intervene in the territory's affairs, so it is timely to introduce this bill today in the wake of the demise of the Howard government. It is also time to take strong steps to restore fairness in the workplace, so undermined in the Howard years. I have been committed over my entire career in the union movement and in this Assembly to improving the lot of ordinary working people. It is with pride that I introduce this bill today.

This bill that I am introducing today adopts the proven models in place for the building and construction industry and the contract cleaning industry. As I said earlier, it is a portable scheme where the entitlements of workers are held in a secure fund managed by a tripartite governing board from government, business and unions. Remember that this is the sort of scheme that was recommended for adoption by an inquiry of this Assembly in the last term of the Assembly.

The fund is the product of a levy collected from all employers and held in trust for the workers and distributed in accordance with the provisions of the bill under the control of the governing board. The levy is set by actuarial assessments a minimum of three years apart and applies to all ACT employers and workers. Investments and borrowing are governed by the provisions of the territory's Financial Management Act. Of course, we will not forget that these funds report to the Assembly annually.

The levy in operation in the Long Service Leave (Contract Cleaning Industry) Act stands at two per cent of salary, and I expect that this will be the rate set in the early stages of operation of this new scheme. Experience in the building and construction industry scheme has shown that this rate will fall dramatically over time. For example, the building and construction industry scheme levy began at 2.5 per cent and has now fallen to one per cent. The scheme has over \$60 million in reserves and 50 per cent more entitlements than for other workers in the private sector.

Finally, I would like to thank all those who have helped in the preparation of the bill and all those who have talked to me about the need for legislation before the last election. Parliamentary counsel have brought their usual skill, care and attention to what is a complex task. I also thank those who have scrutinised the bill and made suggestions to improve it, particularly the unions who recognise the need and those who already have a scheme and have offered their expert advice. I trust it will also please those who want more fairness for workers. I look forward to the opportunity to discuss all aspects of this bill with Labor colleagues and, of course, those interested in the business world and workers. I commend this bill to the Assembly.

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

Children and Young People Amendment Bill 2007

Mrs Burke, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MRS BURKE (Molonglo) (11.12): I move:

That this bill be agreed to in principle.

Today I rise to present a bill which has come about as a result of concerns raised with me by constituents who are concerned about the guidelines and practices for body piercing for young people under the age of 18. For the information of members, I have written to the health minister, Ms Gallagher, in regard to this important issue. I offer the proposed amendments for the consideration of all members. I realise now, of course, that they may ultimately be incorporated in some form or other into the proposed new Children and Young People Act to be presented by the government in the new year. But I think it is worth while bringing this on now in order to have a broader debate, because to me it is a very serious health issue and it has serious impacts.

The Children and Young People Amendment Bill 2007 will amend the Children and Young People Act 1999. The changes will ensure that the tattooing and body piercing of children and young people is undertaken with their parent's or guardian's permission and will impose a maximum penalty of 50 penalty units.

Clause 1 sets out the name of the act. It provides that, upon enactment, the bill will be titled the Children and Young People Amendment Act 2007. Clause 2 provides that the provisions of the bill will commence on the day after its notification day. Clause 3 sets out that the act will amend the Children and Young People Act 1999.

Clause 4 talks about offences against the act, the application of Criminal Code et cetera. Section 3A, note 1, new dot point, inserts into the act a new section 388 specifying tattooing and body piercing of children and young people. Currently, the act only makes mention of tattooing. I thought it was very important from a health perspective to bring into line the issue of body piercing.

Clause 5 deals with section 388 and substitutes the original wording with new wording specifying tattooing and body piercing of children and young people, namely:

- (1) A person commits an offence if—
 - (a) the person tattoos or pierces a part of a child's or young person's body; and
 - (b) the tattooing or piercing is not in accordance with the written permission of a person with parental responsibility of the child or young person.

Again, that carries a maximum penalty of 50 penalty units. An offence against this section is a strict liability offence, and in this section "pierce" means part of a body; it means pierce the part to insert a ring, bar or other thing through the part and includes piercing the ear.

Tattooing and body piercing have been a worldwide craze since the 1990s and body piercing has become the fastest growing form of body decoration in the modern world.

The changes will ensure that tattooing and body piercing of children and young people are undertaken for that reason with their parent's or guardian's permission and will impose penalties where needed. It is certainly not a frivolous change. It is proposed to minimise the impact of a piercing on a young person's appearance and whether this then may have adverse health, social or employment implications for them down the track.

As the craze has grown, so has the emergence of blood-borne viruses, notably hepatitis B, HIV and the hepatitis C virus. Tattooing and body piercing have become potential routes of blood-borne viruses. There is a risk, for example, of damage to a body part in terms of chipped teeth from a tongue piercing, damaged facial nerves or damaged milk ducts in nipples.

The bill also addresses the inappropriateness and potential criminality of the more invasive forms of procedures—for example, genital piercing—performed on children and young people. The bill seeks to address this inappropriateness and ensures the importance of parental consent. Whilst it recognises the potential conflict between parental authority and a young person's autonomy, particularly between the ages of 16 and 18, there are concerns regarding the ability of under-18-year-olds to make informed decisions.

In recent years, society's values have changed considerably. The practices of tattooing and body piercing were once perhaps considered a fad. They are now more prevalent. Some children have pierced ears, a smaller number have navel or nose piercings, an even smaller number have other forms such as eyebrow and tongue piercing, and then there are some of the more extreme piercings I have mentioned, such as genital piercing.

Already, in some circumstances, such as consent for a serious surgical procedure, it would generally be considered that the consent of a parent or guardian should be obtained for a person under the age of 18. To be able to give informed consent for a tattoo or piercing, it is suggested that a young person would require the capacity to understand the long-term implications, including possible family, social and employment impacts, the risk of scarring or disfigurement, the possibility of infection and, in the case of tattoos, the difficulty of removing them. There is also the ability and capacity to select a provider who complies with the minimum hygiene standards, and the need to understand and implement wound care and infection control advice.

I will leave it there. Hopefully, I will have more talks with the government. I look forward to responses and feedback from members on what I have proposed today. But we do need to look seriously at the matter, particularly from a health aspect, as I have said. I thank members for their time today and I commend the bill to the house.

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

Schools—closures

MRS DUNNE (Ginninderra) (11.19): I move:

That this Assembly:

(1) notes:

(a) the extent of new expenditure in Appropriation Bill 2007-2008 (No 2);
and

(b) the limited saving to be made from closing the ACT government schools
listed for closure in December 2007; and

(2) calls on the ACT government to halt all school closures proposed for
December 2007.

For the last 18 months school communities across Canberra have been thrown into turmoil by the Stanhope government's so-called school renewal process known as *Towards 2020*. At the end of this month Canberrans will see the closure of Cook, Page and Macarthur preschools, Cook and Village Creek primary schools and Kambah high school. This is part of the 23-strong school closures announced almost a year ago.

The Stanhope government lied about school closures during the last election.

MR SPEAKER: Order! Withdraw that please.

MRS DUNNE: I withdraw that. The Stanhope government misled the community during the last election about closing schools and has had no mandate for the planned closure of the 24 schools that it has now put in train. One of the many questions that I was asked during the consultation last year was, "Why did the government lie to us about school closures before the last election and where does the mandate come from?"

The answer is clear: there was no such mandate. Far from declaring its intention to close schools it went out of its way during the last election to assert the opposite. Clearly it was convenient for the Labor Party to mislead Canberrans in the run-up to the last election. The closure of Ginninderra district high school, which was announced almost two years ago, had just been a softening up for bigger changes. To close one school after such an undertaking might be seen as a lapse which the community might get over, but to close another 20 or more has been a complete gutting of the public education system.

From the outset the Canberra Liberals opposed the *Towards 2020* school renewal process and we did this for very sound reasons. There was virtually no information available to explain the reasons for the proposal, and this is still the case today, given the fact that within the last half-hour I have introduced legislation that comes out of my experiences and the experiences of other members of the community in trying to obtain information about the school closure process and the experience of communities who have been trying to get answers under the Administrative Decisions (Judicial Review) Act as to why their schools were closed.

There is some doubt as to whether the minister complied with the legislation because he did not make individual decisions on individual schools but made generic decisions about school closures. In addition to that, the models for the different age groupings

that were put forward in the consultation and things that have been decided to be implemented as a result of the so-called consultation are still unproved and they were contrary to existing ACT government policy.

The projected savings, the substance of this motion today, were too small at roughly two per cent of the ACT education budget and are possibly illusory. They are so small they do not justify the disruption caused to individual students, their parents, the teaching community and the wider community. The consultation process that the minister put in place was superficial and was only there to justify a *fait accompli*. The extent of the changes was so radical, so disruptive, that it was likely to increase the drift from the government school sector.

At no stage did we say that there should not be school closures. We proposed a different model; one where the community had a stake in the decision and understood the decision. The ACT Liberal Party attempted to amend the Education Act to improve and strengthen the consultation process and to reinsert the guidelines compiled under the previous Liberal minister for education Bill Stefaniak and the P&C council, which officials and representatives of the previous minister told the P&C council were unnecessary to be put back into the legislation because there were no proposals to close schools. I was told that—I was given that same information in a briefing—at the time the Education Act came into operation in January 2005. In addition to this, the experiences that I had as the shadow minister for education and as the member for Ginninderra, and that my colleagues have had, in dealing with school communities that were closed, the experiences of school communities in relation to FOI and AD(JR) have shown that the process was wrong and a flawed one.

As a result of this, on 6 December 2007, one year ago tomorrow, the ACT Liberal Party proposed an alternative response to *Towards 2020* and we made particular undertakings which I think it is timely to restate here. We proposed the cancellation of closures and restructures scheduled for December 2008. This means that immediately upon coming to government in 2008 a Liberal government will cancel and consult about any proposed restructurings and they will not go ahead unless the community is agreement with them. This means that Narrabundah primary school will not be converted to a P-2 school unless the community wants that to happen. Therefore the Aboriginal programs that work there have a chance of continuing.

Lyons primary school: if the community wants to continue with its bilingual Italian immersion program it will be able to do so on the site where it has been successfully operating for the past four years. Fadden primary school and Southern Cross primary schools will not become P-2 schools unless the community wants that to happen. We will conduct discussions with the Higgins and Holt communities about the future of their schools in the light of the building of the new west Belconnen superschool and the changes to Melba high school and Copland college will be fully consulted by an incoming Liberal government.

We have undertaken to reinstate schools closed under *Towards 2020* in certain circumstances. The Liberal Party will commit to working with communities wherever possible to reinstate schools closed in 2006 and 2007 as a result of *Towards 2020*. We will establish, in consultation with the community, criteria which include things like the educational, social, demographic, financial and environmental factors for

reopening schools. But for a school to reopen there must be a demonstrated high level of community support. The Canberra Liberals have set aside \$10 million to be put into a schools reinstatement fund to help reopen schools closed by the Stanhope government which meet the criteria set out above.

In addition, we have committed to no school closures during the period from 2008 to 2012. A Liberal government will not initiate any closures in their first term, although, as we have said, the process of closing Higgins and Holt primary schools may be so far down the track that we cannot go back from there and the impacts of the west Belconnen superschool may make that a difficult decision.

We have also decided that we need to be innovative to ensure that Canberrans never find themselves in the situation they have on this occasion. We will institute a future schools committee. A Liberal government will establish a community committee to monitor the health of Canberra's public school system in terms of current enrolments, future enrolments and general demography, the conditions of buildings and other plant and all other relevant considerations. The committee will be charged with identifying the many schools that may be facing problems such as declining enrolments and to move to give these schools the assistance they need to deal with the problems before they become intractable.

The committee will draw upon and further develop the education community consultation guidelines that were developed by the previous Liberal government and the ACT Parents and Citizens Council and which were part of the Education Act until January 2005. The committee will be made up of community representatives with expertise in such areas as education, finance, demographics and planning and it will seek the advice of the Department of Education and Training, the Treasury and other key policy areas in the ACT government. The committee will make recommendations to the minister for education based on the data mentioned above for specific measures to support and revitalise the schools at risk of closure.

What the Canberra Liberals are about is revitalising the government education system. This is not what the Stanhope government has done. What the Stanhope government has done under Andrew Barr is rip the heart out of the education system. Last year on 13 December we saw what the Stanhope government hoped would be the final chapter in their failed *Towards 2020* consultation. We did see a reprieve for some schools and that was because the minister had to give the appearance of listening through the consultation—and I am sure that the minister put on the list some schools that he knew that he would never close, for the very purpose of appearing to consult. But when he let some 13 or 14 schools off the hook it meant that there were some school communities that were put through a sham consultation process so that the government could look good. School communities like Giralang and Melba in my electorate were put through the wringer for six months so that Andrew Barr could look good and magnanimous at the end.

Cook, Page and Macarthur preschools, Cook and Village Creek primary schools and Kambah high school are facing closure in a few weeks time. The figures do not justify the proposal. Last year we were told that we had to tighten our belts everywhere—in education, in health and in all manner of places. The government pointed to the fact that in the past the Liberal Party had attempted to close schools. But when the alliance

government attempted to close schools, and it did close some back in the 1990s, the financial circumstances we were facing were quite different—quite different indeed. That was a time when the ACT budget was under considerable stress. We had just emerged into self-government and there was a great deal of stress on the budget; the budgets were running at huge deficits. This is not the case now. We have just seen the end of 2006-07 statements coming in here with a budget surplus in excess of \$100 million.

Yesterday we voted on an appropriation bill of \$36 million for this financial year, but over the outyears over \$100 million—nearly \$110 million, of recurrent and capital money. This is money that three months ago the Stanhope government claims it did not know it had. We have to stack up against that the fact that if we close Cook primary school at the end of this year, by the time we get to the end of the 2009-10 financial year we will have saved the ACT taxpayer, by the government's estimation, \$811,000. If we close Village Creek primary school, by the end of the 2009-10 financial year we will save \$1.898 million, and if we close Kambah high we will save \$3 million essentially.

That means that for those schools that are closing, over all of that period of time \$5.7 million will be saved for the ACT taxpayer—when this government, this year alone, in extra expenditure proposes to spend \$36 million, and the extra expenditure in the education budget as part of the second appropriation bill is \$6.4 million. There are some extra savings, which are very hard to quantify, for the preschools, but when you remember that the government proposed to save \$500,000 by all the preschool closures, the amount that we are talking about is very small indeed. As someone said to me at a meeting in Kambah, “The Labor Club could run a raffle each year and raise enough money to keep the preschools open, and it would probably be better use of the money the Labor Club raises rather than using the poker machine money to fund the Labor Party.”

This motion here today is an important one. We are in a much better financial situation than Mr Barr and Mr Stanhope would have us believe we were in in 2006. Cook was described by the minister in September last year as a great school. He said that Cook school was a fully-integrated P-6 model with excellent IT classroom and playground facilities that the rest of the ACT school system could be modelled on. “Cook is a great school,” he said in September last year, but he proposes to close it in a few weeks time. This is why we are here today—to stop the Stanhope government closing these schools for these paltry savings when it is overspending in a whole lot of other areas. I commend the motion to the house.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (11.34): I thank Mrs Dunne for raising this debate. It is of course timely to reflect on some of the significant achievements in our public education system, and I am very pleased to see again today that the ACT leads the nation. Indeed, in what has been a difficult period for education in Australia, the ACT stands out as a shining beacon for quality education, and the decisions that the ACT government took through 2006-07 go to the heart of maintaining a quality public education system.

MR SPEAKER: You will have to remain relevant, minister.

MR BARR: Thank you, Mr Speaker. They go to the heart of maintaining a quality education system. The government will not be supporting Mrs Dunne's motion. I have circulated an amendment to that motion and I move:

Omit all words after "(No 2); and", substitute:

"(b) the importance of the ACT Government's investment in pastoral care, support for our indigenous students and quality music, language and physical education programs in our schools; and

(2) supports the ACT Government's significant re-investment in the ACT government school system—which includes \$350 million for new schools and capital upgrades at existing schools—particularly the \$54 million, new preschool to year 10 school that will be built at Kambah."

In the context of this debate around how our education system should be structured into the future, I looked particularly at the demographic trends that are impacting upon our city. From no greater source than the Australian Bureau of Statistics the data on school age population in the ACT, released in August of last year, indicated that the proportion of the ACT population who were of school age had decreased. Those who were of primary school age decreased from 10 per cent of the population or 31,800 in June of 1996 to nine per cent or 29,200 in June of 2005. The proportion of the ACT population who were of high school age decreased from six per cent, 18,400 persons, in June of 1996 to five per cent, 17,500 persons, in June of 2005.

The biggest area of decline in primary school age children was Kambah. In 2005 there were 1,500 students of primary school age in Kambah, down from 2,100 only a decade earlier and down even further from when that particular suburb was at its peak. The number of primary school age children in the ACT decreased by 2,600 in that 10-year period. Similar levels of reductions occurred at the high school age, particularly in Kambah. Again, the reduction in the number of high school age students in the suburb of Kambah went from 2,300 in 1996 down to 1,400 in 2005—the largest decrease.

These pieces of data from the ABS that I have referred to in this place on at least a dozen occasions in the last year were released in August of 2006. The number of students attending schools in the ACT has declined a further half of a per cent since 2005. The school age population, the demographics of our city, continue to change. I refer to comments from the previous minister when discussing this matter in the Assembly on 26 August 2004. She said:

I think future legislative assemblies, governments and ministers will have to seriously look at this matter ...

We are conscious of the fact that we have seen significant declines in our student population. That will affect not just the government school system; it will also affect the non-government system.

That was on 26 August back in 2004. The government has responded to the change in demographics in our city, the drift away from government schools, the fact that the

ACT has the lowest recorded fertility rate of any state or territory, and has had for more than a decade. If you look at the February census for 2007, and look at the age cohorts as they go through, next years year 12 will have around 5,000 students. The cohort that comes in in kindergarten this year is 4,198, across all schools. We have fewer school age children in the ACT. We do not need as many schools as we did when the system was set up through the seventies and eighties.

We have areas of growth where we need to provide new schools—undoubtedly in Gungahlin—but we have other areas of the city where there is a dramatic reversal in the demographics, most particularly in the northern part of Tuggeranong and in the suburb of Kambah. It is important, therefore, that in responding to that the government invests in new education infrastructure in that area. We recognise that we do not need four government primary schools and a government high school in the suburb of Kambah. The future needs of that suburb will be met by a new \$54 million P-10 school on the site of the current Kambah high, and Taylor primary school in the northern part of that suburb, together with the Village Creek, Mount Neighbour, Urambi and Taylor preschools; so there will be four preschools. Incorporating that preschool provision into the new P-10 school, plus Taylor, will meet the ongoing demographic needs and provide a viable school community for the suburb of Kambah.

It is interesting to reflect on the words of the late Rosemary Richards, an Australian Education Union stalwart and someone who taught in the ACT system for 30 years and was involved in a number of these debates. I quote from an article that she published in, I believe, the AEU Journal and that also made it into the *Canberra Times*:

Parents need to be aware of the nature of school resources if no intervention is made. Without the staff and other subsidies and millions spent on school buildings with very small populations, these schools will short change their students in a range of ways ...

Proper use of available resources is of great concern to all teachers and their union. Unfortunately size is a factor in this debate, and small schools, in particular small secondary schools, are currently subsidized from a struggling education budget to ensure students get proper access to courses and resources that could be better shared ...

But thirty years on, we have some serious challenges in achieving equality. Do we as a community understand what it means to provide the latest teaching and learning technology for all our students? High quality teaching and learning are only possible in a well led, well resourced educational environment. We need healthy, flexible, and well maintained buildings with supportive, involved parents; teachers who are professionally supported both with development opportunities and strong leadership from their Principal and the Department and access to regularly updated information technology for all students and staff.

Educators, keenly aware of the needs of schools, are concerned about how the ACT community will fund these essential resources for our young people. We know that many private schools have large populations with excellent resources. To ensure a viable public school system, we must all work to ensure that government schools can provide the same quality uniformly across Canberra; this may mean making some difficult decisions about some 'sacred cows' in

parts of Canberra because the current plethora of small schools challenges the future equitable provision of the best resources for our children.

I congratulate the Government for finding the money to support the community and for taking this difficult but courageous road. ... The Budget is limited and the needs are great. We need to think about the whole system and all its students ...

I could not agree more. Rosemary Richards made a significant contribution to the ACT education system over 30 years and her untimely passing last year was a great loss to our education system.

In responding to these trends, the government has sought to reinvest in public education—\$350 million, as I refer to in my amendment to this motion. It is the single largest investment in public education in the history of self-government in the ACT and through the second appropriation that the Assembly passed yesterday a further \$23 million in additional education funding has been provided.

This is an important investment, reinvesting in the quality of our system. What we need to be concerned about is quality and we need to ensure that every student in the ACT, no matter where they attend school, has access to the same high-quality teaching and learning environments. That was not possible under the previous arrangements that were in place across the territory. We simply had too many schools—too many schools with too few students to deliver quality curriculum and quality teaching and learning. In the small schools, particularly the extremely small schools, the pressure on the very limited number of staff in those schools was extreme. That is why there is very strong support from teachers in those very small schools for something to be done. Everyone in this place knows something had to be done to address these issues. The question is: in making these changes has the government backed it up with investment in improving the quality of education? The answer to that is clearly yes, through the 2006-07 budget, the 2007-08 budget and through the second appropriation that we passed yesterday.

For Mrs Dunne to say that the financial situation has changed and therefore we should reverse all of the decisions that led to the improvement in the financial situation is a farcical argument—and the shadow Treasurer—

Mrs Dunne: No, that is a farcical argument.

MR BARR: Well, how do you think—

Mrs Dunne: You haven't made the savings.

MR DEPUTY SPEAKER: Order!

MR BARR: Mrs Dunne, the government achieved—

Opposition members interjecting—

MR BARR: Why is it that this situation turned around? More than two-thirds of the changes in the government's financial position have occurred as a result of the

system-wide, government-wide, changes and systemic reforms across all portfolios that were undertaken in 2006-07. Frankly, if those reforms had not resulted in a turnaround in the territory's financial situation, we would have reason for concern. But the entire point of undertaking all of the reforms across all of the portfolios was to achieve a change in the territory's financial situation. Frankly, for those opposite to suggest that if we had undertaken those reforms and we are still in deficit—

Opposition members interjecting—

MR BARR: That was the whole point: to restore the territory's financial position, to make the difficult decisions, to make the structural reforms that were necessary to ensure the more efficient delivery of services and to ensure—

Mrs Dunne: Keep trying. Nobody believes you, not even you.

MR BARR: This is an unbelievable position. Are you seriously suggesting that we should have undertaken the reforms—

Opposition members interjecting—

MR DEPUTY SPEAKER: Mr Barr, resume your chair. Mrs Dunne, Mr Smyth and Mr Seselja, who is going out in sympathy with his colleagues—order!

MR BARR: Thank you, Mr Deputy Speaker. For those opposite to suggest that undertaking these reforms and still leaving the territory in deficit—if that was their suggestion of a good outcome, it is unbelievable. Of course, that was the entire point of undertaking these reforms across all portfolios—to address the fundamental imbalance between the territory's expenditures and revenues to ensure that the financial situation of the territory was improved.

And why would you do that? So that you can reinvest in the quality of your service provision—and in the education portfolio that means reinvesting \$350 million back into our public education system. That means improving the quality of our pastoral care and student welfare programs. It means improving the quality of our arts programs, our languages programs, our physical education programs. It means having schools of a size that enables us to deliver the entire new curriculum framework that comes into place in 2008. It means providing schools with the resources they need to deliver quality education in every school—in the 88 government schools, the 79 preschools and the five Koori preschools across the city, so across those nearly 170 education facilities across this city, moving ahead for the next 15 years, investing in the information and communication technology that we need to lead not only this nation but the world.

Again, I welcome the fact that we will now be able to partner with a federal government that is interested in education, that is interested in investing in the quality of our public education system, providing access to computers, to broadband, additional hours of early childhood education—a range of areas where we can continue to improve the quality of our system. We have seen the report on the front page of today's *Canberra Times*: again the ACT leads the nation, and against a backdrop nationally of neglect from the previous federal Liberal government.

Australia overall has fallen back when compared with other countries. The ACT stands alone, leading this nation and continuing to be competitive with the best education providers in the world.

MR SESELJA (Molonglo) (11.49): I thank the minister because he has now clarified for us that, in fact, what has saved the government's previously parlous budgetary position is not the booming property sector, with the massive revenues that are coming in from there, nor the massive increases in GST revenues but, according to the minister, the school closures. It was the school closures that saved us. It has nothing to do with the absolutely unprecedented property boom and the revenue that is flowing into government coffers as a result. It has nothing to do with the massive increases in GST that we have seen coming in. It is all to do with the school closures.

When we talk about school closures, it is worth taking a step back to prior to the last election and actually go back and look in detail at what the government had to say on the issue of school closures. Of course we know that the figures that Mr Barr quotes for us now in terms of decline in enrolments are not new figures; they are figures that have been well known around the place for some time.

In fact, that was part of what sparked the discussion which I think you, Mr Deputy Speaker, were involved in prior to the last election, and that was that more than a quarter of the classrooms in Canberra's public schools sit empty because of a lack of students, a trend that will worsen over the next five years, according to education department figures. This was in the *Canberra Times* on Wednesday, 11 August 2004:

... Canberra's school-age population is expected to fall about 3 per cent, with enrolments at public schools expected to fall 5.9 per cent.

It goes on to say:

ACT Education Minister Katy Gallagher ruled out any immediate school closures, but said the future of small schools would have to be discussed.

This was on 11 August. On 11 August she puts it out there—

Mr Barr: Yes, and what did she say on 26 August?

MR SESELJA: She did not clarify that on the 26th at all, Mr Barr.

Mr Barr: I think future legislative assemblies, governments and ministers will have to seriously look at—

MR SESELJA: Absolutely; future legislative assemblies! She goes on—

Mr Barr: This is the future Legislative Assembly.

MR SESELJA: Yes, but it is in the context of what she said. Mr Barr has sought to try to use that to actually distort the message that was coming out from the government prior to the last election.

If we go on, the next day, when she realised that by putting out that comment it had left open the possibility that they may be closing schools soon, what did she do? She sent out her spokesman—a spokesman for education minister Katy Gallagher—who categorically ruled out Labor closing any schools during the next term of government. She accidentally left it open that it might happen some time soon; so the next day she sent out the spokesman to clarify the government's position. The government's position was that they would not close any schools during the next term of government.

Mr Barr: What was the date of that article, Zed?

MR SESELJA: I said the date. It was 12 August.

Mr Barr: What she said two weeks later, on the 26th—

MR SPEAKER: Mr Barr, cease interjecting.

MR SESELJA: Mr Barr obviously does not understand.

MR SPEAKER: Never mind the interjections. Direct your comments through the chair.

MR SESELJA: I will. Two weeks later she did not recant this comment; she simply left open the possibility of it happening at some time in the future. But in the context of this article, not only do they categorically rule it out in the next term, it says:

With the school-age population in Canberra decreasing in coming decades, closures would need to be looked at, but this would not be during Ms Gallagher's time in politics.

The government put it out there that yes, some time in the future they may have to look at school closures, but they categorically ruled them out in this term and ruled them out during Ms Gallagher's time in politics. They were talking in terms of decades, not in terms of 18 months or 2½ years. They were talking in terms of decades.

That was the message that they wanted the people of the ACT to hear prior to the last election. It was that they were not going to close any schools and, if school closures happened, they would not happen until well after Ms Gallagher was no longer here. We assumed it would be several years into the future before they would actually be considering it. That was the message that they took to the ACT election in 2004 and that is the message by which they stand condemned when we see schools being closed en masse as a result of this government's decision.

It is interesting to actually go to after the election and look at what was said. Mr Barr has talked about the figures, and we saw those figures discussed as the precursor to that *Canberra Times* discussion. But then we saw, in the *Canberra Times* of 18 May:

No schools in the ACT were slated for closure because of low student numbers, the office of ACT Education Minister Katy Gallagher said yesterday.

They went to the election, seeing all these figures and seeing the decline in enrolments, saying, “No, it will not happen for decades. Maybe we will have to look at it. It certainly will not happen in the next term of government.” Then, in May, after the election, when the figures come up again, they say, “No, no, no, no plans at all.”

Something between May 2005 and the budget of 2006 apparently radically shifted. Apparently there was a radical shift whereby the figures that the government was looking at prior to the election and in May 2005, which showed a decline in enrolments and projected declines in enrolments, meant that they would not have to close schools in the short term and that if they were going to close schools it would not happen for years down the track. Between May 2005 and well before, presumably, the budget of 2006, something radically shifted.

Of course, nothing actually radically shifted; nothing changed significantly in the numbers in that time. The government simply reneged on its promise not to close schools. That is what shifted. The government changed its position, its clear position, that it had taken to the election, which was that it was categorically ruling out school closures in that term and that if there were to be any closures in future they would not happen for many, many years down the track. That was quite simply a lie.

If you look at these figures, if you look at what Mr Barr has been saying, he is essentially implying that, faced with these figures, the government would have been crazy, would have been stupid, not to go ahead with these school closures. It is actually quite a significant attack on the previous education minister who, faced with these very same figures, said, “We will not be closing schools. If we close them, it is not going to happen for many, many years to come. It is not going to happen in the next term of government. We do not need to do it. It might be something we think about in the future.” When Mr Barr says they had no choice, he was looking at the same figures as the previous education minister was looking at.

We are left with only one of two possibilities. We are left with the possibility that either the government knew it was going to close schools prior to the election, it knew that those figures were going to lead it to close schools prior to the election and yet it lied, or we are faced with what is the implied claim in much of what Mr Barr has been saying: the position was that the previous education minister simply looked at the same figures as he has looked at and did not see the need.

Mrs Dunne: That is the view put out by the Labor right wherever you go.

MR SESELJA: Mrs Dunne reminds me that, within Labor circles, that is one of the views that are put: the previous education minister was not up to it. Mr Barr now needs to tell us and he does need to actually settle this issue for us. If it was not true on those figures in 2004 and it was not true on the figures in May 2005 but it was so overwhelmingly true as of last years budget in 2006, Mr Barr needs to explain to us, and explain to us very clearly, what changed from May 2005 to the budget of 2006; what significant demographic or other change occurred which made what was previously unnecessary decisions in relation to school closures necessary; what made them so important, so urgent; what changed between May 2005 and the budget of 2006 that would have made it impossible for the minister to make any other decision than to go down this path.

The minister has put out there that the only responsible course for the government, when faced with the declining enrolments, was to close a lot of schools. That is the view that the minister has put out there. Either there was some dramatic shift between May 2005 and the budget—and I fail to see where that dramatic shift occurred; I would be very surprised if the minister were able to present us with some compelling data that showed a dramatic shift in forecasts during that time—or what the minister is saying is that the government previously was hiding its true intentions or was simply not up to it, was simply not up to the task that the minister has taken on himself. There are no other scenarios here. There are no other possible answers to this question. (*Time expired.*)

DR FOSKEY (Molonglo) (12.00): It is obvious that this topic is still alive and well and still a matter of great concern to large portions of our community, and we know that at the moment the communities are anxiously waiting for the result of the Purdon consultation on the future of closed school sites. This is another decision that the government will be making quite soon, and I am quite sure that will bring it under a lot of heat and fire from the community.

Today I was not given leave to make a statement in addition to the petition that I had tabled in relation to the Rivett school. It is insulting to a community that had public meetings, got together a petition, and then to have that petition tabled and basically to fall into a black hole, or is that what the government would have wanted? I want to briefly speak to that petition. Rivett, of course, was a school that was closed some years ago—erroneously, I have heard it said by people in the department, in terms of its location—and therefore the community has already seen the impact of the closure of a school, not to mention that it has gone into the next stage of becoming a community facility.

Purdon started doing a consultation on that school site and then abandoned it because it said basically this was a waste of time because this school site will be sold anyway. In response, the Rivett residents got together, had a meeting and said, “We do not want this sold. This is a really important community facility. A lot happens here that benefits our community now, and we want it to continue to happen. We also believe that the gym and the recreational facilities are going to be important for our children into the future.” They fear that they are being turned into just a dormitory suburb to add to the numbers at other schools.

These issues will not go away when the decisions are made by the government about the future of those school sites because people see those sites as theirs. They are willing to make compromises, but they want to hang onto them for their community facilities. They know that learning does not stop when you finish school and they want the opportunity for those schools to open again. That is what they do not want to close down.

To attend to the issue in question and to respond to Mr Barr’s amendment, I would have supported Mrs Dunne’s motion. What has happened, of course, is that we have now got something mealy-mouthed and you look pretty weird if you do not support it, but all it says is, “It is good we are spending money,” and so on. Of course it is good that we are spending money, but it is how the money is spent that is at issue.

Mr Barr came out today with some things that I want to refer to. I want to go back to when this proposal was first put to us. There were four arguments, apparently, for closing the schools, for turning some into P-2, which, I think, in some cases, is going to be a death blow. That certainly was not a response to community demand and community reaction to the downsizing of their school. That extra transition of their kids does look, anecdotally—and I have not seen the figures yet; they are probably not in yet—as though it is leading people to choose the schools that go P-6.

The first thing that Mr Barr says is “cost to taxpayer”. I will read the introduction on the website:

I would like to assure ... the community that I did not take any of these decisions—

to close schools—

lightly.

I acknowledge that ... change is difficult.

He further said that some Canberrans:

... will be initially disrupted by these changes. I believe that the government is acting in the best interests of our entire community in securing the future of public education in our city.

What is this “entire community”? Is he talking about Canberra taxpayers? In fact, when I really look at this term I find it disappears under my gaze. What is this “entire community”? It is the electorate of Canberra—“the best interests of our entire community”. We will sacrifice some small communities and we will sacrifice local communities for the entire community. We will sacrifice the interests of children, parents and families for the entire community, for the entire community is a concept that is not able to be pinned down. In fact, I would say in this case it does not really exist.

That is the argument about the cost to the taxpayer. But public education is an investment in our city and is really important, and no-one argues more passionately about that than I. But the question is: which idea of public education? For whom?

Mr Barr also cited the demographic issues. They were heavily cited last year in debate. However, I have not heard him mention yet any modelling he has done on the age group new-born to four-year-olds. The demographics in this city are changing. There is no doubt about it.

The Chifley people showed that last year with the work which they had to do. The Flynn community did it too. They went out and got the figures on how many people there were with young children and, incidentally, how many people with young children and families had moved to that suburb to be near a school. By closing schools, we will change the demographics of our suburbs. There is no doubt about that.

People are trying desperately to avoid driving their cars. On one hand, we have got a government that says it is creating a public transport system to get people out of their cars. On the other hand, it is closing schools and making it certain that people have to use their cars.

The shift to non-government schools was another argument cited. There has been work done that shows that, of the eight states and territories, the ACT did not actually have the highest proportion of students in non-government schools. In fact, the comparison that the government has used is quite meaningless because the comparison is not a valid comparing of like with like.

We are a small and relatively wealthy city state, with a socioeconomic status matched only by a minority fraction of the other states and the Northern Territory. We should be comparing ourselves with more similar places. It does look very much as though the ACT's non-government school enrolment levels are quite low. There is not time to go into that, and I am very happy to give Mr Barr the paper.

Finally, there was a program on *Background briefing* recently—it is always worth having a look at—about the future of primary schools. It indicated we might be looking at the death of primary schools. The P-10 thing is effectively killing primary schools, and the superschools are another way.

Let us listen to what Ian Townsend, who is one of the experts who are looking at this area—and I can give the government this reference later—says:

Big business, for instance, has found a market in public schools and schools are becoming more businesslike themselves.

Imagine public super-schools of 3,000 children or more, from kindergarten to Year 12—

in our case, year 10—

with front offices that look more like the head office of a corporation. Schools that compete with other schools for the best students and for private as well as public dollars, schools with brand names that specialise in the arts, or in environmental studies, and that have budgets of perhaps \$30-million or \$40-million.

That's where the public school system is heading.

In this push for bigger and more corporate schools though, the primary school's being left behind.

When policymakers talk about schools these days, they talk about the early years, from kindergarten to year 4 or, in our case, preschool to year 2; the middle years, from year 5 to about year 9; and senior years. You do not hear primary schools mentioned much any more. I would be very interested in hearing the government's thoughts about the future of primary schools, on the understanding that they are still the way that our education system is modelled.

They have evolved over years to have an important function. They keep children in the one place in those most formative years of their lives when they are making friendships. It is appropriate that they move to a different school for year 7 and year 8 because they are much more developed people; they make new friendships; they need something different. I am not sure that high schools, as they are at the moment, are it, but let us look at the bigger, broader concerns around this debate.

MR GENTLEMAN (Brindabella) (12.10): I will be supporting Mr Barr's amendment but not Mrs Dunne's addition to Mr Barr's amendment. As a member of the Stanhope government with a keen interest in education and, of course, deputy chair of the education and young people committee, I am pleased to stand in this Assembly and debate education issues. The Stanhope government has already committed to a record investment in education, a record investment in the capital upgrades of older schools and a record investment in new schools.

The second appropriation is the most recent example of a record investment that this government has placed in education. One initiative of the second appropriation in the area of physical education provides \$1.2 million over three years to fund three specialist PE teachers to develop the capacity in primary school teachers to deliver quality physical education for students over the next three years. This means that from next year all primary schools will have access to these specialist PE teachers who will provide professional development and support for primary teachers in the area of physical education.

Further to this initiative is \$250,000 for the Children's Physical Activity Foundation to further support physical education and sport in schools. I am sure Mr Stefaniak will be happy to see that.

Mr Barr: And Mr Smyth.

MR GENTLEMAN: Mr Smyth as well. The foundation is aimed at enhancing sport and physical activity in schools and will provide support for schools by way of funding grants for sporting equipment and professional development. These investments will lift the capacity of our teachers to provide high-quality and engaging physical education in every one of our ACT public schools.

The Stanhope government has committed a record \$90 million investment over four years to upgrade educational infrastructure across the territory. This investment has been welcomed by school communities and, as all members know, when you are driving around Canberra, especially during school holidays, you will see tradespeople at our preschools and schools undertaking that work.

This is especially true at a school like Giralang primary school, which will now incorporate the preschool within the primary school site. Preschool students attending Giralang in 2008 will be arriving to a newly renovated and exciting space that will make their first impression of ACT public schooling a positive and lasting one.

From May next year, it is expected that construction will start on the new purpose-built gymnasiums at Belconnen and Stromlo schools. This will mean that there is a purpose-built gym at every public high school.

Towards the end of next year, construction will start at the new performing arts complex at Lyneham high school. Lyneham high school has a thriving performing arts program at the school, and the new complex will provide a great space to showcase the talented students at Lyneham.

Over the next four years, the Stanhope government will be opening four new schools across Canberra to enable Canberra students access to the best in educational infrastructure, not just in the new suburbs but in established suburbs as well. The fourth school opening in four years will be in 2011, when the new P-10 school in north Tuggeranong will open on the site of the Kambah high school.

I expect that this new school, in my electorate, on the highly visible site of Drakeford Drive, will become a beacon for public schools and a real drawcard for what schools of the 21st century will look like. The new school in Tuggeranong was made possible through comprehensive community consultation, some hard decisions, but also a Kambah community that was forward looking—a community wanting a facility that was state of the art, a school of the 21st century rather than the tired facility that currently exists.

The new school will be built on the site of the current Kambah high school, with a view to it opening in 2011. It will embrace the same high-quality design as the Amaroo school, the West Belconnen P-10 school and Harrison, and will be constructed with a commitment to environmental sustainability. The preschool will be closely linked to the primary school, to form an early childhood school integrated within the school complex. The school design will provide flexible, modern, high-quality and environmentally sustainable educational facilities that will be accessible to the Tuggeranong community.

This school will also have a strong presence from the Canberra Institute of Technology. Planning is already under way for the new school. In the coming months, an adaptive reuse study of the current site will be undertaken to ensure we can make the best use of the site. Consultation on the design of the new school will start soon after that. Four new schools in four years, two in newer areas and two in more established areas—this is the result of hard decisions, strong commitment and a record investment in public education.

I know that it is getting close to our lunch break. Mrs Dunne delivered for us today a free kick, an opportunity to outline our strong investment in education, backed by a commitment to public education, a true testimony to the vision of the Stanhope government. Now that Mrs Dunne has circulated an amendment to Mr Barr's amendment, Mr Barr will now have a further opportunity to expand on this significant investment.

MR SMYTH (Brindabella) (12.16): The telling point, the really cutting point, in Mr Gentleman's speech is, of course, that we want to go to lunch. This is the Mick Gentleman approach to school closures. I have got 10 minutes. I can only muster five minutes and 57 seconds because somebody else wrote the speech for me; I cannot think on my feet. He will not defend the students of his electorate, as he referred to it, but would prefer to go to lunch. And does that not summarise the approach of the Stanhope government to so many issues in the ACT?

MR SPEAKER: Come back to the subject matter of the motion.

MR SMYTH: It is interesting that there was a function the other night called the Kambah cluster arts extravaganza. It was a kind of farewell to a couple of schools in the cluster that are closing. They got young performers together to say goodbye. It was their big end-of-year concert for Kambah. It is interesting that Mr Pratt and I were the only Assembly members who attended. Mr Gentleman, the advocate of public education in Brindabella, was not there. Ms MacDonald was not there. Mr Hargreaves was not there. The minister was not there to say goodbye, to tie the ribbon on the final insult to education in Brindabella.

As Mrs Dunne started and as Mr Seselja quite skilfully exposed, this is not about savings. This is actually about a lack of vision, a lack of strategy for public education in the ACT into the next decade and the decades thereafter. Mr Seselja asked the question: what happened between May 2005 and the budget in 2006? We changed ministers. That is all. They had a minister who was given a job. He was sold a pup by the Chief Minister, who did not have the courage to do it himself. Mr Barr was lumped with closing schools, cutting sport and rec and cutting tourism. Why? Because Ms Gallagher would not do it. It is as simple as that. Ms Gallagher had the same numbers as Mr Barr had. Ms Gallagher refused to act.

There is no urgency in this, as has been made out by Mr Barr in his cover story and in the flim-flam that we hear about this, because the data that this government has had for six years was ignored for five years. That is what he is saying. Mr Stanhope as Chief Minister, Mr Quinlan as Treasurer, Mr Stanhope as Treasurer, Mr Corbell as education minister, Ms Gallagher as education minister ignored this data. They were irresponsible. They failed in their duty as ministers. That is what he is saying. That is Mr Barr's spin on this: "Here is the indictment of all those that have come before me." They have not done their job, if we believe Mr Barr.

But the reality is: we had a government that panicked. They panicked because Mr Quinlan left and suddenly all the numbers that he had been warning them about arrived at one point. All the ducks lined up. All the planets were in alignment. And instead of having a reasonable approach to putting the budget back into the black after their spending, they panicked and punished the government education sector in the ACT. That is what this is about. It is about mismanagement.

What happened between May 2005 and June 2006, Mr Seselja? We got a new minister who looked at the numbers and we got a government that panicked. And the effect of this is seen in the answers that have occurred since the sham consultation occurred and, indeed, over the last year since the school closures have started.

It is really quite interesting—and there is a perfect example of this—that Mr Barr was actually asked by a Kambah high school student why he would not want to keep both Wanniasa and Kambah high schools open; why would he not keep two high schools in northern Tuggeranong open, two government high schools in the northern half of Tuggeranong. The answer given by Mr Barr was that two 7-10 high schools within 2 kilometres of each other were unviable. There is the new standard. You cannot have a government high school within two kilometres of another government high school.

But what are we going to do? We are going to shut Kambah high school at the end of this year. We are going to knock it down. It will not be a high school, it will be a—

Mrs Dunne: It will be a superschool.

MR SMYTH: It will be a superschool, as Mrs Dunne says. You can have a superschool within two kilometres of a high school but you cannot have a high school within two kilometres of a high school. When is a high school not a high school? That becomes the question. It begs the question: when can you have a superschool within two kilometres when you cannot have a high school? This is the idiotic answer that people have been given right from the start. The community was lied to in the lead-up to the 2004 election; they were lied to. There would be no closures.

“We categorically”—and I looked up “categorically” so that I knew I was right. It said, “Not involving a condition or a qualification.” Categorically, there are no qualifications on closures. There are no conditions on closures because there will be no closures. “Categorically,” the minister said. The community was lied to, because they have now shut schools across the depth and breadth of the ACT. At the same time the minister is saying, “I am here to improve the quality of education. I am the guardian of public education.” He never talks about the non-government sector. He disdains the non-government sector. We see the continual shift.

What is the outcome of their reforms? Almost another percentage point of our students have shifted across from the government to the non-government sector. In the high school sector, which has suffered most badly under this government, 52 per cent of our students are no longer in the government sector. That is the result of the reforms.

Mr Barr: No, 52 per cent are in the government sector, Brendan.

MR SMYTH: Sorry, 52 per cent are in the government sector? So it is only just half? It is only half, and half gone. It is only half and half. Is that what you are saying? Mr Barr sits there gleefully lauding this as an achievement. Only 52 per cent of our students are in government high schools, and that is an achievement. That is an achievement you will carry with you for a long time, Mr Barr.

We see here absolutely no strategy. There is no strategy about the placement and location of schools to secure all schools’ long-term future. All you can read into this lack of strategy from the government is that, if more schools have to go in the future, more schools will. We know we cannot trust them because they lied to the community at the last election when they said categorically no schools would close and, as Mr Seselja pointed out, no schools would close in the political lifetime of Ms Gallagher, who is now the Deputy Chief Minister, potentially the Chief Minister—a member of cabinet, who votes on these issues. We know how she voted on these issues.

But there is no strategy. We have got the Chief Minister recently talking about, “We need to get the population of the ACT up to about half a million.” I assume some

component of that will be in terms of infill and re-densification of the inner suburbs. Perhaps you would call it the gentrification of some of the inner suburbs. But there will not be any schools. In a coordinated and organised way—

Mr Barr: Keep on talking, Brendan. Your ignorance is—

MR SMYTH: Let me finish. I know you do not like this. It is okay; you sit there, lolling back in your chair; you have got your feet up. There is no strategy to ensure the long-term survival of these schools.

Mr Barr: Have you even had the remotest look at the system?

MR SPEAKER: Order, Mr Barr!

MR SMYTH: I know he does not like it, Mr Speaker. I will continue to speak. I will ignore him. We do not have a strategy. We have got a piecemeal approach, which we see in so many of the things that this government does. It is a little bit here, a little bit there. You have this enormous piecemeal approach.

We have actually had six years of neglect in education. The first five years under Mr Corbell and then Ms Gallagher saw no efforts to improve the school system. It saw no effort to raise the standards. Mr Pratt was talking in 2003-04 about pastoral care, the heart of what parents are looking for in their schools, and it was neglected and pooh-poohed soundly by those opposite as not being necessary.

Yes, a lot of schools in this jurisdiction have now taken up the previous commonwealth government's offer of chaplains, moral compass, spiritual guidance, chaplains. Indeed, we have passed money recently to assist with that ongoing work. Well done, Mr Pratt; you were only four years ahead of your time.

But we have had six years of neglect. We have had a cost shift from this government to parents and we have had a cost shift from the government to the non-government sector without any extra contribution, any meaningful contribution, from the government to assist all students in the ACT.

They talk about equity; they talk about human rights; they talk about protecting minorities, but all we have sitting opposite here today is the minister for the government system, because he has neglected the non-government system. He has neglected it and has done nothing, as has his government done nothing, to focus on retention to ensure the survival of government schools in the future.

We have a low benchmark now set by Mr Barr. Ships have the Plimsoll line, and ACT schools will have the Barr mark, and this Barr mark will be the judge now. If you get too small, even though you are serving a special group in the community, a suburb or an isolated community, it does not matter. If you get too small, you are on the chopping block unless you have got somebody who is willing to protect you. But we do not have a long-term plan.

We hear about record amounts of money. Budgets grow all the time. We all know that. Successive governments, whatever they will claim, are now spending more than ever

before. It is true; it is a fact. It does not mean that it is more effective. It does not mean that it will deliver more, and it does not mean that in the end we have a school system that will meet the needs of the students, first and foremost, and the ACT community.

Apart from that, the minister cannot spell. He should correct the word “build” in the last sentence. I think he means “built”. (*Time expired.*)

MR PRATT (Brindabella) (12.26): I rise today to support the motion put forward by my colleague Mrs Dunne in relation to the school closure program implemented by the government. I have spent a good deal of time in my electorate assisting communities who have suffered as a consequence of the government’s decisions to close schools. I talk in particular about the community around Kambah high school.

I have seen some pretty good things coming out of Kambah high school. Whilst going and working with that community, I saw great things in that school, which clearly the minister did not.

Mr Gentleman: Canberra high is not even in your electorate.

MR PRATT: Kambah high school is in Brindabella. For the record, Mr Gentleman is saying that Kambah high school is not in my electorate. This government is on the ball and its backbenchers are too, I do not think.

Mr Gentleman: I thought you said “Canberra”.

MR PRATT: Unlike my colleague Mr Gentleman, I am eloquent and I did say “Kambah high school”. And it is in my electorate. It is definitely in my electorate, minister. I know a damn side more than what you lot would know. Not only do you neglect the schools in my electorate, you do not even know where they are.

Mr Barr: You do not even live in your electorate.

MR SPEAKER: Mr Barr, cease interjecting. Mr Pratt, direct your comments through the chair, please, and remain relevant.

MR PRATT: I care about my electorate, minister. I care about my electorate, which is a damn side more than I can say about this minister and his backbench colleague Mr Gentleman who does not even know where Kambah high school is. No wonder Mr Gentleman has not been able to fight for Kambah high school. No wonder he has not been able to go to the minister and point out all the qualities of Kambah high school, which I know about. And I am going to talk a little about those qualities.

I had the pleasure of attending Kambah high school’s art extravaganza, with many performances more than capable of taking their place on the street. I talk about the stepping into the limelight program that was run in recent weeks. In fact, my colleague Mr Smyth and I both attended. Did you go there, Mr Gentleman? Minister, did you perhaps turn up there during Kambah high school’s death rattles?

Mr Barr: I said, “Let’s do this event,” and we did.

MR SPEAKER: Mr Barr, be quiet.

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

Sitting suspended from 12.29 to 2.30 pm.

Questions without notice

Ministerial performance

MR STEFANIAK: My question is to the Chief Minister. Mr Hargreaves's career as a minister has been a litany of failures. For example, there have been cycle lanes, the Grassby statue, the GDE, poor maintenance of roads, poor maintenance of infrastructure such as drains, the busway, bus interchange security, the FireLink fiasco, cuts to bus services, the closure of the Griffith library, the closure of the Civic shopfront, his appalling performances at estimates in two successive years, the end of MACMA, slow progress in public housing re-developments, and a lack of consultation with the community. We have now seen you intervene on the issue of the Tharwa bridge. Does Mr Hargreaves still have your full confidence as a minister?

MR STANHOPE: He certainly does. He is an exemplary minister. Not only does he have my confidence and that of my government but also he has the confidence of the people of Tuggeranong. If we were to compare the electoral results in Tuggeranong over the last three elections we would all be very aware of the extent to which the people of Tuggeranong and Canberra have confidence in Mr Hargreaves. It is a record of which he can be enormously proud.

We can list a range of issues or subjects that are paraded as supposed or alleged failings. I see thrown in there for good measure the demise of MACMA. The arrangements put in place in relation to MACMA and multicultural affairs are actually of enormous credit to John Hargreaves and this government.

I challenge you, Mr Stefaniak—and indeed any member of the Liberal Party—to go to any multicultural or ethnic-based group in the ACT and ask them to nominate who it is within this Assembly that has stood up unremittingly, unabashed, with courage in front of the multicultural community and their groups and defended them against the sorts of attacks that we see from the Liberal Party in campaigns such as Lindsay. Where were the Liberals in relation to multicultural affairs—an issue that you identify as a failing? Where were the Liberals in the ACT Assembly during the absolutely scandalous attack by the Liberal Party of Australia on Muslims throughout Australia within the last two weeks?

You dare to stand in this place and cast aspersions on a member of this government—on Mr Hargreaves—in relation to his capacity to represent the multicultural communities of the ACT when you, to your eternal shame, within the last two weeks stood by whilst your party distributed race hate—I repeat: race hate—campaign literature of an order not seen in Australia for decades. You stand condemned for your complicity and the actions and behaviour of your party.

Mr Smyth: Mr Speaker, I rise on a point of order. Under standing order 118 (b) the minister cannot debate the subject; he must answer the question.

MR SPEAKER: The question related to the affairs for which Mr Hargreaves has responsibility; multicultural affairs is one of them. But I think you should come back to the original question, Mr Stanhope.

MR STANHOPE: It is one example. It was one of the examples amongst many that Mr Stefaniak raised as an issue of failure. Isn't that total lack of self-awareness or self-understanding interesting? A member of the Liberal Party of Australia today dares to stand and condemn a member of the Labor Party in relation to issues around multicultural affairs and an inclusive society, when in the last weeks that party has distributed race hate electoral pamphlets—racial vilification of the worst order—against a marginalised community: the Muslim communities in Australia. It is mind-boggling that Mr Stefaniak is not aware—does not have the self-awareness to understand—just how outrageous that claim is.

Another one of the allegations of failure: the GDE. The GDE, but for the interference of the Liberal Party, would almost certainly have been completed by now. The interference, the obstructionism, the refusal to allow the GDE to proceed, the refusal to allow this government, for well over a year, to advance the planning and arrange for the construction of the GDE, is down to you.

Mr Pratt: You remind me of Pol Pot: you blame everybody else except yourself. You blame everybody else except yourself.

MR SPEAKER: Order!

Mr Hargreaves: Mr Speaker, I rise on a point of order. I ask you to get Mr Pratt to withdraw the reference to the Chief Minister as Pol Pot. Get him to withdraw it.

MR SPEAKER: Did you make that reference Mr Pratt?

Mr Pratt: It was a comparison of ministerial performance; it was not a reflection on his character.

MR SPEAKER: Did you draw comparisons between Pol Pot and the Chief Minister?

Mr Pratt: In terms of laying blame, yes I did.

MR SPEAKER: Withdraw it.

Mr Pratt: I withdraw it.

MR STANHOPE: It is consistent—to the extent that we have seen the Liberal Party's form in relation to issues around racial vilification and racial hatred, and their willingness and their preparedness to use the Muslim people of Australia for crass political purposes, to scapegoat them, to push them to the edge—to push them over the edge if they can—because they believe them to be to their political enemies. (*Time expired.*)

MR STEFANIAK: Mr Speaker, I have a supplementary question. Chief Minister, what discussions, if any, have you had with Mr Hargreaves about his poor performance as a minister?

MR STANHOPE: None. We regularly discuss the performance of the opposition. In the context of discussions I have had with Mr Hargreaves about the poor performance, I must say that we regularly discuss the performance of the Leader of the Opposition, and indeed each of the members of the Liberal Party. I do not think that in any of those conversations there has ever been a reference to exalted, good or passingly good performance by any of the members of the Liberal Party.

The discussions I have had with Mr Hargreaves are many and varied. Once again, there is this interesting lack of self-awareness by a leader of the opposition who—we heard and read extensively in the last week—will be challenged before Christmas. We read about this in the *Canberra Times* regularly—we read about it again in the last week. Indeed, we are aware of the advice that Mr Mulcahy is receiving from his little faction about ensuring that he picks an appropriate time before launching the challenge.

MR SPEAKER: Order! Chief Minister, I hope you have finished about now.

Ministerial performance

MR SMYTH: My question is to the Chief Minister. Some weeks ago, you intervened in the handling by your Minister for Territory and Municipal Services, Mr Hargreaves, of the Tharwa bridge. In intervening, you convened a meeting with the representatives of the heritage council and others to discuss the future of the historic Tharwa bridge. We understand Mr Hargreaves did not attend that meeting.

Yesterday, 442 days after the closure of the bridge, you, Chief Minister, issued a media release stating that the government would finally engage in a process of community consultation for the preservation and restoration of the bridge, potentially with a carrying capacity of 44 tonnes and even to raise the deck height. Why did you intervene in the matter of the Tharwa bridge?

MR STANHOPE: I did not intervene in Mr Hargreaves's ministerial responsibilities in relation to the bridge; I intervened as the minister with responsibility for heritage. My interest in the Tharwa bridge is directly related to my responsibilities as the ACT minister for heritage.

MR SMYTH: Chief Minister, why, then, are you announcing a community consultation on Tharwa bridge that clearly should be a matter for your territory and municipal services minister? Is it that you do not trust Mr Hargreaves's capacity to take carriage of the matter?

MR STANHOPE: My interest in Tharwa bridge is, first and foremost, in an administrative sense, an interest that arises out of my responsibility as minister for heritage. My desire to consult is essentially aimed at ensuring that we fully understand the level of community commitment particularly involved in significant expenditures

and is essentially directed at maintaining and supporting heritage in the territory, most specifically through the Tharwa bridge.

It is a very significant bridge. It is a very significant part of our heritage. It is important that we engage on the quite complex issue of the extent to which we can invest in heritage for the sake of preserving our heritage. On the basis of advice available to me and to the government, in order to ensure that we maintain the Tharwa bridge, we are looking at a minimum expenditure, we are advised, of the order of \$10 million.

In relation to the options that we might pursue to ensure that we maintain the Tharwa bridge as an operating bridge capable of taking, say, a laden semi-trailer that might allow for 40 tonnes, the government is advised—and at this stage it is the best advice available to us—that, with the contingencies we would have to make in relation to the very complex technical and other aspects of the reconstruction of the Tharwa bridge, the ultimate cost could reach \$25 million. This is a difficult issue for a government and for the community. Is the maintenance of the heritage values of the Tharwa bridge worth \$25 million? It is a difficult question.

We understand, from the immediate responses of Mr Pratt, Mr Smyth and others, that the Liberal Party would not hesitate to spend \$25 million to preserve the heritage values of the Tharwa bridge. That is the basis of the intervention that the Liberal Party have made at this stage. Why delay? Just do it. Just spend or commit possibly \$25 million to ensure the restoration of the Tharwa bridge. That is a very difficult and complex decision to come to in the context of the preservation of heritage. Remember, of course, that it will continue to be a one-way bridge. Remember, of course, that it will require significant annual maintenance. Remember, of course, that it will suffer inevitably the same levels of degradation in its structure over time and will not perhaps survive or last for the duration of, say, a brand new, concrete-steel bridge.

These are complex issues. Does a government just commit \$25 million potentially to the preservation of heritage or does a government actually decide that the heritage is, of course, very significant but that the utility that that heritage structure provides—namely, a crossing of the Murrumbidgee River—can be re-established in one-quarter of the time potentially, at, say, in the order of one-third of the cost. It is an interesting and difficult equation.

I must say I am encouraged by the level of bipartisan support that the government has now received immediately from the Liberal Party in relation to its preparedness—the preparedness of Mr Smyth and Mr Pratt—to immediately indicate in relation to the consultation which we have just indicated that the position of the Liberal Party is yes, just do it. Do it, even if the cost is \$25 million. Do it, even if the time to complete the project is four years. It does give a framework now within which to work. The Liberal Party has signalled that its response to the consultation is yes, do it. Do it at up to \$25 million and accept that it may take between three and four years. That has been, even at this initial stage, a very good outcome.

The government now has a level of understanding and awareness of the Liberal Party's position. The Liberal Party has immediately endorsed the reconstruction of the Tharwa bridge. The Liberal Party has done that in the context of the options that have

been presented, one of which is the potential expenditure of \$25 million and which actually suggests that the project may take between three and four years to complete. It is useful for the government, it is useful for the community, to know now the Liberal Party's position is supportive; abandon a new bridge and proceed. (*Time expired.*)

Ainslie Village

DR FOSKEY: My question is to the Minister for Housing. In 1993 Labor's Minister for Housing and Community Services approved and tabled in the Assembly the report and recommendations by Mr Justice Kelly based on a consultant's summary of the needs of Ainslie Village residents. This addressed among other things whether Ainslie Village was providing an adequate level and type of support to existing and potential residents. Is the minister aware of this report and its recommendations?

MR HARGREAVES: I thank Dr Foskey for the question. I am aware of the report. However, things have moved on since then. We have had an enormous amount of change around Ainslie Village. We have had a change of provider. We have had a change in the nature of governance, the nature of residents' involvement in the management of the village, and the situation that obtains in the village now is completely different from the situation that obtained at that particular time.

MR SPEAKER: A supplementary question, Dr Foskey?

DR FOSKEY: Yes, thank you, Mr Speaker. How did you know? Is the minister aware of the significant positive non-monetary contribution to the needs of Ainslie Village residents made by CWC Auto Services and its owner Nat McGahey for over 26 years?

MR HARGREAVES: I thank Dr Foskey for the trick question. It is a very good trick question. The real question, though, is: what are we doing to CWC in relation to their occupancy of a garage? Members might like to know that there has not been that much revenue flowing to the territory from the operations of that particular garage, but members might be particularly interested to know that the lessee has been involved in the village, and that has been recognised significantly by me and by the department. Indeed, the conversations we have been having with the operator-lessee of the garage continue, so they are not concluded, so I am not in a position to be able to inform the Assembly of the things going forward at this point.

Let me say this, though: we are concerned for the safety of those people that operate within that particular building. We are concerned that the structure of the roof is such that there is a potential danger. Under our obligations of occupational health and safety, and our moral obligation to make sure that people's lives are looked after, we are concerned that that building may not be in a fit state to operate that particular business from. We have engaged some expert opinion to advise us on that, and the lessee there—I will not put the gentleman's name on the record—has been in conversation with us. There was some delay recently because he took some well-earned leave and so we just held things in abeyance while he was away. He has had continual conversations with the department and indeed with my office directly. The last I heard—unless somebody can correct me—he was satisfied with the progress of where we were headed.

I just wish to reiterate that our concern is for his welfare and the welfare of those people engaged in the operations within that building—there are no more and no less reasons for our activities than that.

Disability services

MS MacDONALD: My question through you, Mr Speaker, is to the Deputy Chief Minister in her capacity as Minister for Disability and Community Services. Minister, could you update the Assembly on the performance and achievements of ACT Disability Services this year?

MS GALLAGHER: I thank Ms MacDonald for the first question on disability services that I have received this year. The question is particularly timely given that the International Day of People with a Disability was celebrated on 3 December, not just here in the ACT but across Australia and across the world. The Sunday Fun Day I-Day in the Park was held on 2 December in Glebe Park. It is estimated that over 800 people attended and were entertained by musicians and street performers and participated in activities and games.

On Monday, 3 December a celebration breakfast was hosted by Karin MacDonald here at the Legislative Assembly in which she launched a new online service—the CAN Access Disability Information Directory. This website is a joint initiative between Disability ACT and the citizens advice bureau to provide comprehensive information about disability services and programs in the ACT and about access around the city.

Of course, these events, along with the countless improvements made to the lives of people with disabilities over recent years, have been due to this government's significant investment in this area. In its 2007 budget the government allocated additional resources for disability services in the territory. We have provided \$15.3 million over four years to enable people with a disability to receive accommodation support, increased carer support, increased respite support and increased community access services, including increased support for post-school options.

As a result of this increase since 2003, we have increased support for individual support services—or ISP funding—from \$5.3 million to \$8.3 million. Post-school options have been increased to \$1.025 million. We have set up a mature carers program and introduced new services, such as the local area coordination service, and increased respite services, including special respite for older adults. We have developed specialist services for families with children who have intense support needs, including children with challenging behaviours.

There has been increased support for autism assessment and the establishment and implementation of an intensive care and treatment program for people with dual disabilities and complex behavioural problems. There has been the initiation of a community-based support service for youth and young adults on the north side of Canberra. We have developed a specialist accommodation service for people who have an acquired brain injury. We have increased recurrent funding to community

providers to provide increased flexibility in the delivery of services. There have been improvements to the ACT taxi subsidy scheme and increased support for our disability support staff.

Following the additional money announced in the last budget, approximately an additional 60 people and their families who have not been receiving recurrent support services will now receive recurrent support services. This support will be provided through: 20 places in accommodation support; extra hours of community access, up 30 per cent from 2004 figures; increased centre based respite care nights, up by 1,054; an increase in the respite care that is offered in people's homes, up by 1,100 hours, and increased community support for 170 additional people.

These areas, of course, are targeting the government's priorities. These priorities are to support people who have not been receiving the service in the past, who have high support needs and who will require ongoing sustained support services. We will also look at children of ageing carers who require accommodation support. Importantly, we need to look after the post-school options graduates, the graduates leaving Black Mountain School. Traditionally we have not had enough resourcing going into this area and for many parents it comes to a choice of leaving their jobs to care for their children, almost young adults, once they finish school. I am very pleased that we are seriously looking at this group and making sure that we are providing the services and support they need.

Of course, there will always be the need for additional respite bed nights. Under the commonwealth-state disability agreement, which we were negotiating with the previous federal government, they had sought a commitment from the state and territory governments to put more money into disability services and then they would match that new money. We put in \$15.7 million. We were unable to reach a final conclusion on those negotiations prior to the federal election, but we are hopeful that Labor's policy that they announced in the federal election campaign actually is along similar grounds.

MR SPEAKER: Is there a supplementary question?

MS MacDONALD: Thank you, Mr Speaker. Minister, are there any further details that you can provide?

MS GALLAGHER: In relation to the Commonwealth State/Territory Disability Agreement, federal Labor's policy was to accept the extra money that the commonwealth was putting into disability services. We are confident that we will still be able to secure those much-needed funds for people with a disability here in the ACT.

This is such an important area in terms of government service delivery. Traditionally, the ACT has done very badly in disability funding. Where some states have received 40 cents in the dollar in their allocation for disability services—40c from the commonwealth for every dollar they spend—the ACT government has been receiving 17 cents in the dollar, under the Commonwealth State/Territory Disability Agreement that has just expired. I think only Victoria was below us, at 16 cents in the dollar.

We genuinely feel the need for extra funds from the commonwealth. We have the same issues that other jurisdictions have in terms of the increase in demand for services. We are hopeful that our extra injection of funds will be matched, having regard to the discussions we will be having shortly with the federal Labor government. The money that we have provided in that budget, as I have outlined, will go to those areas, and that money is already being rolled out now. Families are receiving extra services that they have not received in the past.

There are a number of other areas that we are working on. It is not all about funding; it is about having appropriate programs. We are continuing, with quite a deal of success, the work around young people living in residential aged care facilities. The ACT Chief Minister's inclusion awards grow every year. In fact, we will be looking for a larger venue for that awards ceremony. I understand that approximately 400 people attended this year's event, with more people being turned away. Minister Hargreaves attended that event and presented the premier award for inclusion on behalf of the Chief Minister, while awards were presented in eight other categories in business, government and community sectors.

There is also the business leaders innovative thoughts and solutions program, which is another key part of our focus in terms of inclusion in the community for people with a disability. BLITS brings together business leaders to provide thoughts and solutions on how to include people with a disability in the community. Again, that program is having great success. A recent event was the BLITS-ACT chamber of commerce "Business after Business" cocktail event; over 100 representatives of the chamber of commerce and government met at the Dendy cinema complex in Civic on Thursday, 21 September.

We are also doing a range of work on the role of government as provider. This is quite delicate work because it does involve whether or not the government should be in the business of disability services—whether it should be an accommodation provider in disability services. I have met with many families on this matter as we have gone through the consultation process, and assured them there is a role for government in providing accommodation support. We currently provide support for 161 adults in about 56 houses. We provide support for about 50 per cent of the accommodation support sector. So we are a significant partner in that regard. That work has almost reached a conclusion and I look forward to informing the Assembly of the outcomes of that consultation and the decisions the government takes in relation to that in the near future.

Ministerial performance

MRS BURKE: My question is to the Chief Minister. Chief Minister, Mr Hargreaves, in his capacity as the minister responsible for bus interchanges, has refused to accept responsibility for the implementation of safety measures such as the installation of CCTV cameras and rostering of extra personnel. Given Mr Hargreaves's failure to take the issue of passenger and staff safety at bus interchanges seriously, do you still have full confidence in this minister for ACTION?

MR STANHOPE: The question is simply based on a fallacy; it is simply wrong. The minister has accepted absolutely the responsibility to ensure that our interchanges and

our bus infrastructure are safe. We have committed quite heavily to ensuring the safety of all ACTION buses. We have committed to the installation of a CCTV camera on every single ACTION bus in the fleet—a fleet which, when we inherited it from the opposition, did not contain a single CCTV camera.

In relation to CCTV cameras and safety, we have gone from a position of no CCTV cameras at all—nil, none—under the Liberal government to a position where, by the end of this coming year, every single ACTION bus will contain one—every single one. We have gone from a position of nil per cent under Mr Hargreaves to a position of 100 per cent. We have gone from none to 100 per cent.

MR SPEAKER: Order! Chief Minister, resume your seat.

Mrs Burke: Mr Speaker, I raise a point of order. Under 118 (b) Mr Stanhope needs to confine himself to the subject matter, and that was about not buses but bus interchanges. That was the specific question.

MR STANHOPE: No, it was about safety.

Mrs Burke: On bus interchanges, not buses.

MR SPEAKER: It was about the Chief Minister's confidence in his minister.

Mrs Burke: And security of bus interchanges, not buses.

MR STANHOPE: It was about security on public transport. The facts are—and they are simple facts and they are quite bald facts—that, under the Liberal Party, there was absolutely no regard for safety on buses or within interchanges. We went from a situation where not a single bus in the ACT was equipped with basic safety equipment, including or involving a CCTV camera.

Mr Pratt: Nor was there the same rate of assaults on bus staff.

MR SPEAKER: Order, Mr Pratt!

MR STANHOPE: Under Mr Hargreaves's leadership and advocacy, we have gone to a situation where, by the end of this coming year, every single bus in the ACTION bus fleet will contain a CCTV camera. We have gone from a situation under the stewardship of the Liberal Party—the legacy of Bill Stefaniak and Brendan Smyth in government—with no cameras, no safety initiatives, no safety measures, no regard for safety.

This is another example of the ACT Labor Party in government picking up and repairing years of neglect. What more stark example is there in relation to public transport and safety than the fact that under the Liberals not one bus in the ACT had a camera—not one. Under John Hargreaves and the Labor Party, every single bus is protected through a CCTV camera. The moneys are appropriated; the contracts are let. As I have said, by the end of next year John Hargreaves will have delivered to the public transport travelling public of the ACT a level of safety which never occurred to the Liberal Party—or, if it did occur to the Liberal Party, and it probably did, they thought “why bother?” and did nothing.

Similarly, in relation to interchanges, our interchanges are undergoing a complete re-organisation, a complete realignment. They are being refurbished. The lighting is being adjusted to make them safer. CCTV cameras are being introduced and implemented. There is a complete overhaul of issues in relation to safety on public transport, under the leadership, the direction and the advocacy of John Hargreaves as minister.

I thank the Deputy Leader of the Opposition for the question. I am pleased to have had the opportunity to indicate the difference in approach, response and resourcing between the Liberal Party and the Labor Party in relation to public transport and public safety—a position of nil cameras, no cameras, under Bill Stefaniak and Brendan Smyth—none, not one: zilch, zero. Once again, we have this lovely level of self-awareness from amongst the Liberal Party.

Mr Pratt: You opposed them on human rights grounds.

MR SPEAKER: Order, Mr Pratt!

MR STANHOPE: They berate the minister for transport for not providing CCTV cameras or security for the public transport or bus travelling public in an environment where, under the Liberal Party, no security measures were implemented. We have gone to a situation in which John Hargreaves as minister has oversighted the installation in every single bus of a CCTV camera.

Mr Stefaniak: You objected to the cameras.

MR SPEAKER: Order, Mr Stefaniak!

MR STANHOPE: There is the stark difference. We go: Liberals nought, Labor 100. Liberals: none—nought per cent, not a single bus, not a single camera. Labor Party: every single bus and every single interchange gets a camera.

MR SPEAKER: A supplementary question, Mrs Burke?

MRS BURKE: Yes, thank you, Mr Speaker. Chief Minister, just to confirm then: are you satisfied that Mr Hargreaves has done everything possible to ensure the security and safety of staff and patrons of ACTION at bus interchanges?

MR STANHOPE: We have moved dramatically from the situation that we inherited from the Liberal Party—of absolutely no CCTV cameras, no security devices, no regard or thought for security on public transport—to a situation where this is now top of the agenda; not just top of the agenda but in relation to which we have invested heavily. So I have enormous faith that we have over this last six years moved mountains, moved miles, in our determination to safeguard not just the travelling public but also bus drivers and commuters. The differentiation is stark: under the Liberal Party, no cameras on ACTION buses in the ACT—nil, none, zilch, zero; under the Labor Party, a camera on every single bus.

I had thought that the Liberal Party legacy in relation to mental health was perhaps one of the most awful of the statistics or differentiations that could have been

imagined—a position or a situation under the Liberal Party, under Brendan Smyth and Bill Stefaniak, of the lowest level of per capita support for mental health in Australia—

MR SPEAKER: Order! You should come back to buses.

MR STANHOPE: I just say, in terms of illustrating the difference between the Liberal Party, and its commitment to the people of Canberra, and the Labor Party, it is another interesting example. We have another example here of from the lowest to the highest. From under the Liberal Party in government we see—and we have just had it illustrated a moment ago by the Minister for Health in relation to disability services—the enormous injection of funding into disability services that has been a feature of our government post Gallop, post the royal commission of inquiry by Justice Gallop into the disastrous situation that we inherited from the Liberals.

I fully support John Hargreaves as minister for transport, particularly in relation to his absolute commitment to the safety of the travelling public, which has led John Hargreaves, as minister for transport, to overcome years of neglect by the Liberal Party, reflected in the fact that under the Liberal Party there were no CCTV cameras at all within the bus fleet, an extensive fleet, to a situation in which the minister has assured a CCTV camera for every bus in the ACTION fleet. What a remarkable difference, what a disparity—from none to total coverage—and it is down to John Hargreaves; it is down to the minister. We went from a situation of nil coverage under the Liberal Party to a situation of complete coverage under John Hargreaves. He can take a bow for what he has achieved in ensuring the safety of the travelling public of Canberra—and your record is an absolute disgrace! I thank the Deputy Leader of the Opposition for the question.

Ministerial performance

MR MULCAHY: My question is to the Chief Minister. At a public rally and protest at the closure of the Griffith library in November of last year, your Minister for Territory and Municipal Services rejected the need for consultation, saying effectively, “I do not need to consult. I know what the answer is going to be.” This was despite significant community unrest at the unpopular decision to close the library. Similarly, the minister arbitrarily authorised the highly unpopular decision to spend \$75,000 on the Grassby statue, another decision that was widely derided by the Canberra community. Chief Minister, how do you explain your government’s unwillingness to consult with the Canberra community, demonstrated through Minister Hargreaves’s actions?

MR STANHOPE: I thank the member for the question. As so much of the theme of questions today has shown such a remarkable lack of self-awareness, I refer the member to Mr Pratt’s interview on radio 666 this morning:

There is no need for the government to consult the community because the locals have made their views clear.

Thank you, Mr Mulchay. I think that answers the question.

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

MR MULCAHY: Thanks. Chief Minister, in light of his consistent, derisive treatment of the Canberra community, how does Minister Hargreaves continue to retain your support?

MR STANHOPE: We talk about derisory treatment of the public. I will quote again from Mr Pratt on radio 666 this morning:

There is no need for the government to consult the community because the locals have made their views clear.

Mrs Burke: On Tharwa bridge.

MR STANHOPE: On Tharwa bridge. That was the question I was asked. What a ripper! Thank you, Mr Mulcahy, for the question. I was actually wondering how I was going to get an opportunity to refer to Mr Pratt's sterling interview on the radio this morning. I do appreciate your giving me the cue. That was one of the dorothies that we actually rejected today. Somebody slipped it under the Liberal Party room door and they actually thought it was from one of them. Did you do that, Mr Gentleman? Did you whip around and slip our question under their door?

Mr Pratt: You did not finish the quote, though, did you, Jon? No context and you did not finish it. Mislead.

MR SPEAKER: Withdraw that.

Mr Pratt: Withdrawn.

MR STANHOPE: Thank you, Mr Mulcahy. I do thank you for the question. Mr Hargreaves has my full confidence. He is doing a sterling job. He will lead the Labor Party in Tuggeranong again next election. He thrashed you last time and he will thrash you again.

Mr Mulcahy: Mr Speaker, pursuant to standing order 213, I move:

That the Chief Minister table the document from which he was quoting.

Question resolved in the negative.

Ministerial performance

MR SESELJA: My question is to the Chief Minister. In 2006, the government made significant cuts to ACTION bus services as a result of changes made in the 2006 budget. In fact, this was widely referred to as the worst network in 30 years. Chief Minister, the government has now had to appropriate \$5.5 million to repair some of the damage caused by the changes by Mr Hargreaves in 2006. Given the damage caused by the changes to the timetable in late 2006, do you still have full confidence in Mr Hargreaves as the minister responsible for transport?

MR STANHOPE: I thank Mr Seselja for the question. Indeed, as a result of the stewardship by this government of the budget and the finances of the ACT, we were able, through a second appropriation bill which was passed by the Assembly yesterday, to announce an investment in the order of \$5.5 million of recurrent funding in the network, in addition to a foreshadowed \$50 million investment in buses.

The investment that is incorporated in that second appropriation bill will certainly allow us to develop an expanded and, we believe, significantly advanced network. These are new, additional moneys; this is not a matter of filling holes or changing the nature of efficiencies that were demanded by the government of ACTION, just as they were demanded of every other area of government.

As everybody knows, there are significant efficiencies that every government has sought to gain through a restructuring and a realignment of administration, most particularly in ACTION. Those efforts will continue. As members of this place are aware, and as every member of every government has been aware, with regular efficiency reviews of ACTION buses in the ACT, the ACTION bus network is almost always, in any review of efficiencies on a state-by-state, jurisdiction-by-jurisdiction or bus network by bus network assessment, regarded as a network that contains within its structures a number of inefficiencies at a number of levels. Some of those go to EBA, and they are deliberate decisions of governments. Many others go to issues around the network—the arrangements of depots, the level of dead running, the nature of shifts.

The government's request of ACTION, as a result of the hard decisions that were taken in last year's budget, was to address inefficiencies in management, administration and structure. That was done. As a result of some of the changes that were made, the government now feels more confident about investing in ACTION, and it will continue to invest, and invest heavily, in public transport and sustainable transport.

These moneys are new moneys, and the government has demanded of ACTION that, through an enhanced network, it increase patronage, and we have set a target of 10 per cent. Those are the demands that the government is making of ACTION, and ACTION is working hard to meet the expectations of the government in that regard. We saw it reported today that initial returns to the consultation in which the government is engaged in relation to ACTION buses are essentially positive. Seven hundred returns or responses have been made to the government. Some of those point out anomalies and concerns, and the government has sought to address those. There are a number of anomalies in relation to network or route changes, and the government is working very hard to address those.

A \$75 million announced injection of funding into ACTION buses under the stewardship of the minister is a fantastic outcome—one of the single largest injections of funding in public transport in the ACT in many years. It was an injection that resulted from the advocacy of the minister in cabinet in relation to the needs of the network and the system. Once again, Mr Hargreaves can be applauded for his leadership, his stewardship and his advocacy because, through the second appropriation bill which was passed by this place yesterday, ACTION has received an

additional \$5.5 million a year, a foreshadowed \$50 million for new buses and, as we have previously indicated, a range of other measures that will enhance the infrastructure and attractiveness of ACTION and public transport for the people of Canberra.

MR SPEAKER: A supplementary question from Mr Seselja.

MR SESELJA: Thank you, Mr Speaker. Chief Minister, why did you allow your minister to run down ACTION services so badly during 2006?

MR STANHOPE: Well, I do not believe they were. A number of decisions were made in 2006 as a result of a determination of mine and my government to put the ACT's budget on a sustainable footing. We have essentially achieved that. In the view of the Liberal Party and the opposition in this place, we have been far too successful and the surplus is now far too strong; the budget is too sustainable.

Of course, their immediate knee-jerk response or reaction to that was essentially to just slash taxes and not worry about service delivery. Actually, their record in government is to run down services. We saw it in relation to their running down and refusal to fund mental health. We see it in their refusal in government to fund disability services. We see it in their refusal in government to actually fund security measures on public transport.

Mr Seselja: I raise a point of order as to relevance, Mr Speaker. I asked him why he allowed the minister to run down ACTION services in 2006.

MR SPEAKER: Come to the question.

Mrs Burke: He did nothing at all.

MR STANHOPE: He did not do that. The point I was making was relevant background, Mr Speaker. The government made a number of decisions, as reflected through the 2006-07 budget. They were decisions of government. They were decisions, in fact, that were very much a response to my intervention as Treasurer and as Chief Minister.

Mr Smyth: So you did intervene. Okay.

MR STANHOPE: Well, I am the Treasurer. I brought down the budget. Of course I had a significant role in the nature and the structure of the 2006-07 budget. To that extent, Mr Hargreaves implemented decisions that the cabinet or the government had taken in relation to service delivery. As everybody knows, there was a significant reassigning or redefining of expenditure to ensure that we could maintain service levels at the highest level possible and that we could continue in a sustainable way to maintain the level of services which we have achieved in government after repairing the damage of the Liberal Party in their period in government when they ran down health and disability services and mental health and safety of public transport and almost every other area of government service delivery. They closed 114 hospital beds.

MR SPEAKER: Come back to the subject matter of the question.

MR STANHOPE: They essentially wreaked havoc on service delivery within the ACT. Through the 2007-07 budget we put in place structures and discipline that allowed us to continue to—

Mrs Dunne: I raise a point of order, Mr Speaker. The question is about running down ACTION bus services in 2006.

MR STANHOPE: That is what I am talking about.

MR SPEAKER: The question was about 2005-06, and the Chief Minister and Treasurer was explaining his intervention in the budget process which led to the changes in ACTION.

MR STANHOPE: Thank you, Mr Speaker. That is the point I was making. The government, for reasons that I have sought to articulate through the interruptions, took a range of decisions and each of my ministers implemented those decisions.

Ministerial performance

MRS DUNNE: My question is to the Chief Minister. Chief Minister, yesterday in a matter of public importance in relation to emergency services, specifically on the issue of the failure of the FireLink project, the current Minister for Emergency Services, Mr Corbell, said, in relation to responsibility for the failure of FireLink, that ministers needed to accept responsibility. In late 2004 and throughout 2005, during the procurement and installation period of FireLink, Mr Hargreaves was the responsible Minister. Chief Minister, do you agree that during this period Mr Hargreaves failed to execute ministerial oversight in relation to the FireLink project? If so, what responsibility should he accept for the failure of the project?

MR STANHOPE: I have to say that I have listened particularly closely to responses that the minister for emergency services, Mr Corbell, has made to questions and other queries in relation to FireLink. I have absolutely no doubt that the preamble to that particular question completely misrepresents the position that Mr Corbell has consistently put in relation to this matter. It completely and utterly misrepresents Mr Corbell's position. It is another one of those questions where, having in a preamble completely misrepresented the facts, the question becomes impossible to answer because it is based on a complete and total fallacy and misrepresentation. The question essentially cannot be answered.

MR SPEAKER: Supplementary question?

MRS DUNNE: Perhaps this one cannot be answered either. Is the failure of Minister Hargreaves, as the minister for emergency services, to properly manage the FireLink project the reason why you stripped him of the job of Minister for Police and Emergency Services? If this was not the reason, what was the reason?

MR STANHOPE: I must say that I did hesitate to get into some of the detail around some of the issues in relation to FireLink, but most certainly, as Mr Corbell has explained ad nauseam, though obviously you have not listened, it is very much a

result of the failed or flawed structure, which the Liberal Party supports, for the management of emergency services. They are a precise example. The issues in relation to FireLink are perhaps a precise example.

Mr Seselja: It is our fault you stuffed it up!

MR STANHOPE: Well, I must say that issues in relation to emergency services are very much the fault of the Liberal Party in government. There is absolutely no doubt. I have once again heard Mr Corbell—

Mr Seselja: FireLink is our fault?

MR STANHOPE: To some extent, a whole range of issues in relation to emergency services and emergency services capacity are a direct result—

Mr Pratt: You guys couldn't run a chook raffle so you blame us.

MR SPEAKER: Order, Mr Pratt!

MR STANHOPE: Many of the failings in relation to infrastructure and capacity that were previously experienced are a direct result of seven years of running down of emergency services by the Liberal Party in government. There is absolutely no doubt about that. There was a complete refusal to deal with issues around communication.

Mrs Dunne: Point of order, Mr Speaker.

MR STANHOPE: You know that; you all know that.

MR SPEAKER: Order! Chief Minister, resume your seat.

Mrs Dunne: My point of order is under standing order 118 (b). The question related to the installation and procurement of FireLink in 2004 and 2005. Therefore the minister needs to confine his comments to that period.

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

MR STANHOPE: Mr Speaker, I was. I was talking about the explanations that have been made ad nauseam in this place by the minister, Mr Corbell, in relation to the issues around FireLink. Certainly there were a range of issues in relation to process, in retrospect, as fully explained by Mr Corbell and as otherwise exposed in relation to procurement—the failure to test and to do the level of due diligence that was quite obviously necessary and required. Many of those failings were almost exclusively a result of failings in management within the Emergency Services Bureau at the time, as a result of an administrative structure which you continue to favour, you continue to support. You cannot have it both ways.

Mr Seselja: It's our fault you have put it in! You put it in; it didn't work; you didn't oversight it. And that's our fault!

MR STANHOPE: You cannot have it both ways in relation to emergency services. You cannot seek to vest in a minister responsibility for failings of an authority when your position is that the authority should remain supreme and should have statutory independence. How often have you stood in this place and lambasted both the authority and the government for refusing to allow statutory independence? And as soon as we do and we seek to use the existence of statutory independence and separation between the authority and government for an explanation of a failing of the authority, you seek to vest the responsibility in the minister.

It is the same issue that you exploited in relation to boards for hospitals. It is a better example and a clearer example. You supported the establishment of boards for hospitals. Immediately one was established, you undermined it to the extent that Jim Service, the initial chair of the board, resigned as a result of your interference and your refusal to invest in them the respect that they deserved.

And you do it here. You seek to have it both ways. You demand that the only appropriate and reasonable approach to emergency services management is a statutorily independent authority. As soon as you actually want to invest in responsibility for a failing of the authority in a minister, having argued until you are blue in the face that you needed statutory separation, you ignore the fact of the statutory independence—because it does not suit your purpose.

It is the most blatant hypocrisy. Oh, we want statutory independence when we do not want the minister to be involved or to accept responsibility for achievements, but as soon as the statutory authority itself is responsible for a failing we of course want the minister to accept responsibility for the failing! Well, you cannot have it both ways. Your hypocrisy is so bald faced! It is there for everybody to see.

Mr Seselja: You've got 30 seconds to defend him on FireLink.

MR SPEAKER: Order! Mr Seselja, cease interjecting.

MR STANHOPE: What do you believe in? Do you believe in statutory separation and independence or don't you? You believe in statutory independence only when it is actually a benefit.

Mrs Dunne: Why did you sack him?

MR SPEAKER: Order, Mrs Dunne!

MR STANHOPE: As soon as it excludes you from attacking a minister, you do not like the notion of statutory independence or separate responsibility for decisions taken by a statutory independent authority. It is humbug and it is hypocrisy of the worst order.

Ministerial performance

MR PRATT: My question is to the Minister for Territory and Municipal Services. Your record as a minister is one of constant failure. For example, there have been cycle lanes, the Grassby statue, the GDE, poor maintenance of roads, poor

maintenance of infrastructure such as drains, the busway, bus interchange security, the FireLink fiasco, cuts to bus services, the closure of the Griffith library, the closure of the Civic shopfront, your appalling performances at estimates in two successive years, the end of MACMA, slow progress in housing developments, a lack of consultation with the community and the decline in affordable housing.

Mr Stanhope: Mr Speaker, I rise on a point of order. I cannot detect a question anywhere in this nonsense.

MR SPEAKER: He is coming to the question about now.

MR PRATT: I know that you do not like this Chief Minister, but tough.

MR SPEAKER: Come to the question.

MR PRATT: The Chief Minister has now had to intervene to try to save the Tharwa bridge—the straw that breaks the camel’s back. Minister, why has the Chief Minister had to intervene to try to save Tharwa bridge from your inept management and failed processes?

MR SPEAKER: Mr Hargreaves is about to answer the question without interjections. I will warn anybody if they interject.

MR HARGREAVES: I thank Mr Pratt for the question very sincerely. In doing that, he tries to draw comparisons between what they did not do and have not done and what we have done. And I thank them for that.

When it comes to the question of infrastructure extensions, we inherited an ageing asset—a grossly ageing asset. Any examination of the appropriation bills since Jon Stanhope took office in 2001 will see significant funds being put into the infrastructure in the city, the look of the city. Just walk around the West Row part of the city and you will see a resurgence, a revitalisation of activity around Garema Place.

I reject Mr Pratt’s notions. He is centring all of that bile on his concern for the Tharwa bridge. Why, he asks, did the Chief Minister need to intervene? My response to that is that the Chief Minister did not have to intervene; the Chief Minister is acting in his capacity as minister for heritage. In fact, he is saying to me, “I accept the view that you have been advancing thus far, that your main priority is the viability of Tharwa Village, and that your main priority has been to put a bridge across that river.”

He is also saying to me that he recognises that we did have a community consultation at Tharwa. We had two massive public meetings, at which Mr Pratt was not. We had an informal meeting down there, at which Mr Pratt was not. We took nine different proposals to the people of Tharwa. I came away with the distinct view that the main priority for the people of Tharwa was to get across that river. So I advanced that position in the cabinet. Indeed the funds were advanced and we progressed. I advised the people of Tharwa at the time that it would take between 18 months and two years to build. If it is the wish of the Canberra community to proceed with that particular option, that project is on track. It is on track, as I advised them last September or thereabouts.

Mr Pratt: October.

MR HARGREAVES: October; I do not mind. Mr Pratt has a memory of something that he did not attend. So I will concur with that!

Mr Pratt: I was there the day after.

MR SPEAKER: I warn you, Mr Pratt.

MR HARGREAVES: Given the extent to which Mr Pratt has levelled criticism at me for my stewardship of this portfolio, I need to correct something that he said on this very subject of Tharwa bridge this morning on radio. The Chief Minister has already exposed Mr Pratt for saying that there is no need for wide consultation as Tharwans and the people of Tuggeranong Valley “in their thousands have signed petitions calling for the restoration of the old bridge”.

In fact, four petitions were put forward in this place by Mr Pratt—one had 1,900 signatures on it. But that referred to the installation of a low-level crossing; it did not talk at all about the restoration or even a new bridge. Later on he tabled another one with 611 signatures. What did he talk about? He talked about the installation of a temporary low-level crossing. Then again—425 residents—he talked about commonwealth government assistance which did not exist for a temporary low-level crossing.

Later on Mr Pratt said that 264 residents wanted the government to erect a temporary low-level crossing, and then to expedite the replacement or refurbishment of the Tharwa bridge. There was no indication of their intentions, their desires, their wishes about the restoration of the bridge, as indicated by Mr—

Mr Stanhope: It was porky, was it?

MR SPEAKER: I warn you Chief Minister. I am serious about this. I will continue with the rest of question time without interjections.

MR HARGREAVES: Mr Pratt has told the community on radio this morning that people in their thousands signed petitions calling for the restoration of the old bridge. They did nothing of the sort. Those figures I have quoted come from the *Hansard*.

MR SPEAKER: A supplementary question, Mr Pratt?

MR PRATT: Minister, given this record of consistent failure as a minister, will you resign?

MR HARGREAVES: Mr Pratt says we have got some problem with drains. I will tell you what I do not do: I do not get a bucket of cleaning agent and go and attack public art. That is what I do not do.

MR SPEAKER: Come to the subject matter of the question.

MR HARGREAVES: He was talking about my stewardship of the public domain, Mr Speaker.

MR SPEAKER: He asked you whether you would resign.

MR HARGREAVES: Mr Speaker, he is asking me would I do this with respect to my stewardship of the public domain. It was not I who caused the cameras at interchanges not to work; we inherited those from the Liberal government. There was no film in half of them and the other half did not work. With respect to the graffiti, we have a graffiti strategy. Mr Pratt is often critical of my doing these things.

I believe that, since Jon Stanhope came to government in 2001, since he gave me the responsibility for urban services and, later, territory and municipal services, and the resources to do it, the fabric of this city has improved incredibly in that period of time. The way it looks has improved.

I am sick and tired of hearing people like Mr Pratt talk this town down amongst its citizens. He accuses us of not looking after it, and in the process he denigrates the town that has elected him—by the narrowest of margins—to represent them in this place. Mr Pratt has not one shred of justification for asking me to do such a thing as to resign my ministry. I have actually expressed and displayed in this place more commitment to Canberra, more commitment to my electorate and more commitment to the honour and respect of this place than Mr Pratt will ever, ever contribute to this place. No is the answer to his question.

Minister for Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs
Motion of no confidence

MR PRATT (Brindabella) (3.35): I seek leave to move a motion of no confidence in Mr Hargreaves.

Leave granted.

MR PRATT: I move:

That the ACT Assembly expresses its lack of confidence in Mr Hargreaves in all his ministerial responsibilities for his:

(1) failure as a minister:

- (a) to adequately manage;
 - (b) to deliver on time;
 - (c) to deliver on budget;
 - (d) to ensure service standards are met; or
 - (e) to follow appropriate process;
- including but not limited to his failures on:
- (f) Tharwa Bridge;
 - (g) road funding;

- (h) Gungahlin Drive Extension;
- (i) Griffith Library;
- (j) busway;
- (k) ACTION timetables;
- (l) security at bus interchanges;
- (m) rock throwing at buses;
- (n) Grassby statue;
- (o) insult to Vietnam veterans;
- (p) FireLink;
- (q) ESA headquarters move to Fairbairn;
- (r) housing;
- (s) Revolve;
- (t) graffiti;
- (u) taxis;
- (v) NoWaste by 2010; and
- (w) Shopfront closures;
- (2) lack of consultation, particularly over:
 - (a) Tharwa Bridge;
 - (b) Griffith Library; and
 - (c) Grassby statue;
- (3) misleading reports concerning the Tharwa Bridge; and
- (4) personal standards of behaviour in regards to:
 - (a) the Chamber;
 - (b) language;
 - (c) Estimates Committee;
 - (d) other Committees; and
 - (e) representing the ACT Government.

This minister has failed, as I have just outlined in a litany of errors. But the straw that has broken the camel's back has been his failure on the representations and the management of the Murrumbidgee River crossing at Tharwa.

Let us have a look at the issues regarding this particular bridge and its history. The bridge is 112 years old. It is an Allan truss bridge. It was a New South Wales DMR responsibility. The importance of the bridge is not disputed; it is both a major lifeline to the Tharwa community and a central heritage mark in the region. The heritage value is beyond dispute. The minister has failed to understand those important things. That is why this minister should resign. He has failed to understand the importance of this bridge.

This bridge has been closed for 442 days. In the meantime, the Tharwa community has been somewhat choked. In recent times, we have seen three small businesses in Tharwa close down on the back of this government's despicable behaviour in closing the Tharwa community school. It then had a double whammy when the bridge closed—for no good reason, the bridge closed.

As I have said, businesses closed because this minister did not have the sense of urgency or sense of attention to detail to look at the real state of that bridge two years ago when it was first considered in terms of its future—to look at the engineering evidence which was then available. He took the easy way out. He did not analyse the true situation—because he did not give a stuff about the Tharwa community, for one thing, and because clearly he did not give much of a damn about the heritage value of that bridge. That is why this minister has failed in his duties around this fundamental issue; that is why this minister should resign.

The minister had three meetings with the Tharwa community between August and October 2006. He indicated that there were a number of options available. In the October meeting, he said words to this effect: the bridge had deteriorated to such a point that it was going to fall down at any stage. That is a quote that many people in the Tharwa community remember and have detailed back to the opposition.

The community was tired and weary of the time that had dragged on—with the bridge temporarily closed, and the bridge re-opened and closed again—accepting the government's word that the bridge was beyond economic repair. The government said that the bridge was beyond economic repair, so, in October—yes, the community agreed with the government decision to build a new bridge.

In this place the minister has made much of saying that this is what the community wanted—this concrete bridge. But he fails to point out that that was after misleading that community, after a series of loaded meetings where they were presented with few options—a very tired and depressed community, already bludgeoned by this government in terms of what it had done to Tharwa community school. The committee said, “All right; if that is the only option we have got, we will get on with the concrete bridge. Just give us a bridge—any bridge.” They took the minister on trust. The Tharwa community took the minister on trust. This minister—wherever he has gone; this minister missing in action again, AWOL, not at his post again—failed the Tharwa community. They took him on trust.

This is the fundamental failure by this minister. We have seen additional travelling times imposed on the Tharwa community. We have seen a death on the road 18 months ago when the bridge was first closed. You cannot subject a community to country road traffic conditions and expect there not to be any risk. Did this government undertake a risk analysis for keeping the bridge open or running urgent repairs versus a risk analysis on the safety of Point Hut Road? I bet they did not. This minister would not think in those terms.

The other point is this: with the bridge closed, the southern fire brigade, which needs to service both sides of the banks of the Murrumbidgee River, now has a 25-minute detour. We can see, too, that community ambulance crossings cannot occur. We have seen a total failure.

Let us look at the real engineering and heritage advice. The Tharwa community was duded on the original engineering advice—there is no question about that—even at the time that Minister Hargreaves was talking about the need for a concrete bridge. By the way, some Tharwa residents—and indeed some residents of the Condor valley—say, perhaps partly unkindly, that they believe he was building a monument to himself. Is this why Minister Hargreaves was blindsided? He could not analyse the engineering evidence, the logistical evidence, the history issues or the heritage value issues to make the right decision to restore the old bridge because he was blindsided by the need to build the memory to John Hargreaves: a single-lane concrete bridge—which, by the way, was going to devastate the western bank of the Murrumbidgee River and dreadfully impact on the amenity of the Tharwa community.

In this place we have seen that the minister has disrespected the Tharwa community and he has disrespected the experts who we talked about in this place. I refer to Mr Brian Pearson, an ex-DMR engineer who the minister went so far as to mock. We know that Labor ministers in this place have a history of mocking experts. Anybody who brings news to them which contradicts their position is mocked and disrespected; we have seen that again in this particular case.

Mr Seselja: Time and time again.

MR PRATT: Indeed. Let us look at the heritage community, the friends of Tharwa activities. I do not recall seeing the minister turning up to talk to the friends of Tharwa and the heritage communities, to get their feelings in more recent times as to the state of the bridge. The community has always had a deep affection for the bridge. That was never in question.

I now want to refer to the New South Wales RTA report, a contemporary report prepared by the Wagga office of the New South Wales RTA which indicates very clearly that the old Tharwa bridge can be restored for in the vicinity of \$4.9 million. This report indicates—

Mr Seselja: How much?

MR PRATT: It is \$4.9 million. This report indicates that after 11 weeks of work—11 weeks—the old Tharwa bridge can be reopened to light traffic load. And not only that: the next 46 weeks of work—it says that right here in this report—can occur whilst the bridge is able to service traffic.

This is the report that we asked about in the November sittings. We asked Minister Hargreaves if he had seen this report and whether his departmental officials had seen this report. The minister declared that they had not. I have it on very good authority that this contemporary New South Wales RTA engineer report dated September 2007 had been seen by departmental officials and had formed the background to discussions with other people, particularly by the Chief Minister in recent weeks when he met with the Heritage Council. I seek leave to table this report.

Leave granted.

MR PRATT: Thank you very much. I table the following paper.

Tharwa Bridge over Murrumbidgee River on Tharwa Drive, South of Canberra—Concept price, prepared by the RTA Bridge Works Manager, Wagga.

This is evidence that will show how much of a failure this minister is. Thank you very much. We now see that Mr Stanhope has to step in to—

Mr Corbell: Remember to bang the fist as well, Steve. Your voice is deep and it has got—

MR PRATT: I will speak gently for your poor sensitive ears, Simon, if that is what you would prefer.

Mr Barr: You are such a caring soul.

Mr Corbell: Bang the bench too, Steve.

MR PRATT: Perhaps you could follow your comments and go upstairs too. We have now seen Mr Stanhope stepping in to rescue another failed Hargreaves project—another failed Hargreaves project. You have disadvantaged that community. Now that community has spent two years in an uncertain position about its bridge. That community has been put through two years in general and 18 months in particular of unnecessary pain—unnecessary pain because this minister failed to make the right decisions based on the appropriate evidence which was available at the time. And now we see his Chief Minister making a backflip on his behalf.

Let us talk about some of these other issues. There is the Grassby statue. This minister did not consult with anybody; he just talked to his Labor mates. And after talking to his Labor mates, he spent \$75,000 from the public purse to build a statue that this city did not need. This city did not need any more statues. It does not matter whether it was Al Grassby or—

Mrs Dunne: A bogong moth.

MR PRATT: A bogong moth—or even the hair crop statue at the other end of the GDE. These are monuments that the ACT does not need. That money has got to be spent on more important identities. This reflects the failure of this minister—that he will waste money on Labor Party, iconic, ideological issues.

There has been a litany of failures. Let me remind you of this minister's failure to do anything about the Braddon depot smeared in graffiti. I show you the before photograph and I show you the after photograph—eight weeks apart: same graffiti; no change. I seek leave to table these.

Leave granted.

MR PRATT: Thank you. I table the following papers:

Graffiti in Braddon—
City Scape Depot—Photos (4).

As a consequence of the minister's failure to do anything about the Braddon depot—we see, by the way, some of the same taggers who tagged that depot then putting their tag all the way through Braddon shopping centre. Let me table 25 photographs, roughly—

Mr Mulcahy: About 18, isn't it?

MR PRATT: Indeed; I correct the record—about a dozen photographs. I seek leave to table a dozen photographs of the Braddon shopping centre—

Mr TEMPORARY DEPUTY SPEAKER (Mr Gentleman): Is leave granted?

Mrs Dunne: Yes.

MR PRATT: showing the spillover of graffiti activity in the Braddon shopping centre due to this minister's failure to ensure that his own depots are kept graffiti-free. I table those. Thank you very much. I gather that leave is granted.

Mr TEMPORARY DEPUTY SPEAKER: Yes, it was, Mr Pratt; you were not listening.

MR PRATT: That is very kind of you indeed. I table the following papers:

Graffiti in Braddon—
Shopping centre—Photos (14).

This minister is simply not fit to be a minister. We have seen his behaviour in committees in the last two years. Multicultural groups cringe at his swearing and his carrying on at functions. There is a complete disregard by this minister of his own office. Senior officials going to his office even tell me that they cringe at his language during ministerial meetings—the sort of language that the minister uses in front of his own staff. We have a minister who is simply out of control.

We have talked here today about his failure to consult over the Griffith library closing. We have talked about a number of issues. This minister has failed in a litany of areas. He has failed to uphold the code of conduct. He has failed to uphold the appropriate standards of behaviour. This minister has failed from whoa to go; that is why this minister must resign. We call upon this minister to resign. (*Time expired.*)

MR HARGREAVES (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (3.50): I thank Mr Pratt for the entertainment. It is hard to take this matter from Mr Pratt seriously, but I take this matter in this place very, very seriously. In fact, this is a bit of abuse of this place by Mr Pratt. He has not put anything substantive on the table. He has put on the table a photocopy of one page of a report and some photographs of part of the town that I have not seen. He did not have the courtesy to circulate the documents before he tabled them, so he is acting with some discourtesy to this place.

Without seeing the photographs, I cannot particularly comment, but off the top of my head I would put a \$5 note down now which says that those items of graffiti are

probably on private premises. Without seeing them, I cannot be sure of it but that is usually Mr Pratt's form.

Mr Pratt: That is true.

MR HARGREAVES: Mr Pratt intervenes, interjects, and says it is true. Mr Pratt is saying that I am failing in my duty because I am not removing graffiti from private land.

Mr Pratt: You didn't.

MR TEMPORARY DEPUTY SPEAKER: Mr Pratt, it might be best if you cease interjecting.

MR HARGREAVES: From private buildings. It is not the government's responsibility.

Mr Pratt talks about lack of consultation. On the one hand he accuses me of not having consultation processes with Tharwa and on the other hand he says, "But you had those two public meetings." He forgets the important meeting that I went to. He forgets the meeting that I had with the Rural Lessees Association in that area when they brought the question to me. He ignores the fact that I have had three or four meetings in my office with people on the very same subject. When it comes to the statue, he says that there was no consultation. He has asked me a question in this place about it and I have indicated to him the consultation that went on with the multicultural community.

Mr Pratt: That's not what they say.

MR HARGREAVES: Mr Pratt chuckles in his cuffs. I had extensive consultation on that particular issue. I had no conversations whatever with any officer of the Australian Labor Party who is not an elected member of this place.

What we are seeing here from Mr Pratt, in terms of consultation, is an absolute nonsense. He is accusing me of "lack of consultation, particularly over"; that means that in general I do not do consultation that well. I reckon a dozen ministerial forums on multicultural affairs, six more ministerial forums on housing issues, a multicultural summit attended by 450 people—and a housing summit which was so successful in its delivery to the people of the ACT that Kevin Rudd and Tanya Plibersek copied the format and it swept John Howard out of the—it didn't sweep him out of the Lodge; he was not in it. What happened? It is the only eviction of someone in public housing about which I am proud. He talks about my failures on housing!

Members interjecting—

MR TEMPORARY DEPUTY SPEAKER: Order!

MR HARGREAVES: He talks about my failure in housing. We have reduced the waiting list in housing; we have improved the infrastructure; we have improved the fabric of the buildings; we have introduced energy efficiency ratings. And on top of

that we are now housing people who are most in need. The changes to public housing and community housing have been revolutionary—and recognised around the country. Not only that, Mr Temporary Deputy Speaker: I have been invited—and I accepted—to travel to China to talk about the way we do public housing here.

Mrs Burke: Oh, really.

MR HARGREAVES: I have given a report to this place. It does not surprise me to hear the very temporary deputy leader of the opposition. I think that she will not look in her Santa bag at Christmas time, because when she does she will see the smiling face of Mr Seselja looking up out of the Santa bag at her. That is what she is going to be doing; she is going to be doing that. What does Mr Smyth want for Christmas? Everything—except that the one thing he is not going to get is credibility, because he has not got any, and neither does Mr Pratt.

Mrs Burke: And your credibility is intact, I suppose.

MR TEMPORARY DEPUTY SPEAKER: Order! Mrs Burke.

MR HARGREAVES: Mr Pratt talks about this great big list. I thought, “Hmm.” I will put my achievements up against all of those—on a whiteboard if he likes. Mr Pratt can fill in, alongside mine, what his achievements are. I suspect that we will end up with the sort of thing you get in a Liberal Party policy document, which is something that says “please turn over” on both sides of the paper. That at least keeps Mr Pratt busy for a couple of hours.

There is not one on this item. I looked through this and I thought to myself, “Maybe he’s got a point on one or two of them and maybe I ought to say, ‘Well, look, I’m really sorry about that.’” But look at it. The taxis. Taxis are a private industry. It is a private industry.

Members interjecting—

MR TEMPORARY DEPUTY SPEAKER: Order!

MR HARGREAVES: Mr Temporary Deputy Speaker, they are like galahs on a clothes line; they cannot help themselves.

Let us look at some of the other ones: ACTION timetables. Okay; right. Did I or did I not stand up in public—on television and radio, and in this place—and say, “With the best will in the world, we got it wrong, and this is what we are going to do about it”? Did I do that? Yes, I did. So we are doing something about it. What part of \$75 million don’t these people understand?

What I have not done is deface public art. I have not done that in my life. What I have not done is mislead the community on radio, talking about petitions which do not exist. What I have not said on radio is that we do not need to have community consultation on it. Then they come into this place and accuse me of lack of consultation. That is an absolute screaming joke.

I speculate a bit here. Why is it so? Why is it so, master? Well, butterfly, let me see if I can tell you. I think that Mr Pratt is suffering from a massive dose of relevance deprivation. People are starting to do what they have been doing to the Deputy Leader of the Opposition for some time—laughing at him. They are just the butt of all jokes.

Mrs Burke: They laugh at you. You are the laughing stock of public housing.

Mr TEMPORARY DEPUTY SPEAKER: Order!

Mrs Burke: That's why you don't have community services any more. And so it goes on.

MR HARGREAVES: So what has to happen—

Mr TEMPORARY DEPUTY SPEAKER: Order! Minister, take a seat.

MR HARGREAVES: Certainly.

Mr TEMPORARY DEPUTY SPEAKER: Mrs Burke, I have called you to order twice. Please refrain from interjecting.

MR HARGREAVES: Thank you very much, Mr Temporary Deputy Speaker. I think that, because he has got relevance deprivation, Mr Pratt has got to try and make out as though he knows something. He tries to damage my reputation for the sake of his own profile. I do not think it works. This sort of stuff only damages himself.

There are a number of these issues which are an invitation to people like me to crow about what we have done. I am very sorely tempted to do so. Our road funding—the road funding has been exponentially greater. When we first came to office, we found that the ageing asset sorely needed some funds, because those opposite, when in government, did nothing—nothing—about the ageing infrastructure. These days on a Saturday morning, the *Canberra Times* is littered with public notices saying that this street is closed, that street is closed and that street is closed because it is getting road pavement treatment.

The Gungahlin Drive extension is going fine. It is on time. Why did it cost an extra \$20 million? There are two reasons. The first reason was that it was held up by the group that sits up at the top of O'Connor. That was part of it, and it cost us a lot of money in litigation. The other one—and this is the significant one—is that those opposite sponsored a different route. They kept it going for ages; they talked to their mates; they made the whole thing shift. What happened? The whole thing got delayed, and through the passage of time the rise and fall clauses ended up requiring a significant capital injection. I have had not one email complaining to me about Gungahlin Drive extension—not one email complaining to me about Glenloch interchange—for well over 12 months.

The very temporary deputy leader of the opposition says to me, “What about housing?” What about housing? When we came into government, a thousand units disappeared off the map. A thousand units disappeared off the map and it was left up

to us to go and fix it. What did we do? We embarked on a rejuvenation program. Mrs Burke stood up in this place and congratulated the government on those initiatives. Now she interjects—snippety, snippety, snipe. The queen of clichés has the gall to have a go at me for something that she congratulated me on earlier this year. I find that absolutely staggering.

What these guys do is trawl back. This is a typical Mr Smyth dirt campaign. The Mr Smyth dirt campaign had its genesis back in 1995 when he was running to keep the job as the member for Canberra. The process that we are seeing played out by Mr Pratt today is typical of the process. It was supposed to not be a dirt campaign; it was supposed to be done on policy. What happened? What did we see? We saw red and black pamphlets coming out and telling all the dirt on the candidate challenging Mr Smyth. Do you know what happened, Mr Temporary Deputy Speaker? He got treated in exactly the same way John Howard did. The people of Canberra took one look at the red and black posters and said, “You’re on your bike, son.” He was the only person in the 1996 campaign—the only sitting Liberal—

Mr Smyth: No; it’s not true.

MR HARGREAVES: It is true. He was the only sitting Liberal across Australia to lose his seat. You have to ask yourself whether these sorts of dirt campaigns work or not. The answer is clearly no. He got treated in the same way John Howard got treated. If Mr Pratt does not watch his step and does not stop listening to Mr Smyth, the voters of Brindabella will deal with him in the same way that the voters of Canberra dealt with Mr Smyth in 1996.

I challenge Mr Pratt to come up with a list of his achievements since coming to this place. I have a funny feeling that you could write it on the back of a postage stamp with a textacolor. That is what you could do. He has not got any: he has not contributed to debate; he has not read his material. He comes along to estimates and annual reports and he is belligerent. He talks to me about it. He talks to me about some of this stuff. Have a good look at the *Hansard*, Mr Pratt, and have a look at your own performance in this place before you start chucking stunts.

Those opposite struggle around looking for one or two. It ain’t going to work. Mr Pratt has got to be one of the laziest shadows that I have come across here in nearly 10 years. I say that because when we go down there for the estimates hearing, PAC or annual reports he has got only two subjects on his mind. You have got an appropriation bill that has got \$20 million worth of stuff in there for buses; it has got millions of dollars out there for housing. And what does he talk about? His two favourite subjects: graffiti on private property and security at the interchanges. I explained at the time that we have got the security cameras on the buses. I told him where they were on the actual bus. I told him about the global, city-wide CCTV program. “Not good enough,” he says, “John Hargreaves should have fixed this ages ago.” I respect the institution of this house. I have taken this motion particularly seriously, but I have trouble doing the same for Mr Pratt. (*Time expired.*)

MR STEFANIAK (Ginninderra—Leader of the Opposition) (4.05): I am very glad to hear that the minister is taking the matter seriously—and so he should, because Mr Pratt has listed a litany of failures. It is a failure on the part of this particular

minister, but it is indicative as well of the failure of an arrogant government. Fundamentally, it does what it likes without listening to ordinary people in the community.

In the time allowed I cannot possibly go through all of the things listed in the motion, but I will deal with a few of them. Firstly, there is the Tharwa bridge. I am sure the Chief Minister's intervention relates to more than just heritage issues because this fiasco has been going on for over 400 days, as was indicated by someone on this side of the house. To put the record straight, Val Jeffrey and some other people from New South Wales reckon that it will not cost \$25 million to fix the bridge but something less than \$5 million.

It is absolutely disgraceful that it has taken so long for anything to happen and for the people of Tharwa to be listened to. This minister has failed by not listening to the people of Tharwa. He has failed by not ensuring there is proper access to that village, which has caused a lot of angst not only in the Tharwa community but generally throughout the Tuggeranong community. It is indicative of a minister who has simply given up listening. It is quite sad, actually, because he listened a lot as a local member, before he became a minister.

Let us look at the GDE farce. Today, we heard about absolute bank-ups on the GDE. If you are lucky, you can now get all the way down to the Glenloch interchange, but it is another fiasco. The price of it has doubled. I accept that there was a court challenge, which I do not think either major party was terribly happy with, but now, for double what it was meant to cost, or more, we only have a two-lane road. As someone said, it is a good road for 22 hours out of 24, but it is those crucial two hours that pose a real problem. Again, the cost has blown out, it is still not finished and we are seeing some incredible delays during peak hour—the very situation it was meant to fix.

Of course, there is also the so-called artwork which suddenly materialised on it. I actually thought that the workmen had put up those stones. There is the one that Mr Pratt referred to as someone's bad hairdo. I actually think it might be quite dangerous if there is an accident there, caused by someone spinning off the road. So it is not only a waste of money but potentially dangerous.

Let us look at ACTION timetables. I know that the 2006-07 budget was an absolute farce and a fiasco—the horror budget that we actually did not need to have. But out of all the fiascos stemming from that, ranging from school closures through to increased taxes and the two new taxes, the ACTION timetables in November 2006 were an absolute disaster. There were buses going past kids who were waiting for them at schools, and people who simply could not get to work. There are still people coming from Tuggeranong who cannot get to work by seven o'clock at Calvary Hospital because of difficulties with the bus timetables. The Chief Minister had to try to fix that with some significant supplementation in the appropriation bill that we passed yesterday. I still do not think it has been resolved. But that November 2006 timetable fiasco is something for which the minister has to wear responsibility. It just should not have happened. It is the worst timetable that anyone has put out in the history of self-government. It was also a shame because there were a couple of reasonably good innovations in timetables prior to that, and it just wrecked any improvements and put ACTION buses way back.

Security at bus interchanges is a farce. When the current government were in opposition they led the charge against our putting security cameras in bus interchanges on the grounds of civil liberties. It is the usual thing: the liberty of the criminal is much more important than that of the victim. They had to be dragged kicking and screaming to accept it. Thank God; I think we had a couple of sensible Independents in the Assembly at that time. I am pleased to see the government taking some action on security at bus interchanges, although we do not know exactly when it is going to be properly upgraded. Again, the minister had to be dragged kicking and screaming on this issue—and it is still a huge problem. I do not think I had ever heard in the past about the number of assaults on ACTION staff, and ACTION staff are the responsibility of this minister.

The Grassby statue was very much something that the minister took on his own bat. Seventy-three thousand dollars is not a huge amount of money in the sum total of things, but when one looks at all the angst and controversy that it caused, it represents another fiasco and another real problem caused by a minister who did not take the time to consult.

Revolve is a very good case in point. And I liked Dr Foskey's question, by the way, on the car repair place at Ainslie Village. People have been trying to get rid of that for ages, and I stopped them getting rid of it when I was a minister because the same issue came up then. It provides a wonderful service for people who otherwise would not be given a chance. About 500 or so cars go through that place. Minister, you are going to survive this, of course, on the numbers, but if you want to redeem yourself a bit, you might at least like to make sure you do not do to the car repair place at Ainslie Village what you did to Revolve.

Revolve is a classic case. The minister will not even see the Revolve people. He has not seen them, so I am told, since he was a backbench member. Again, that is indicative not only of his arrogant behaviour and attitude but of the arrogant behaviour of this government generally in terms of people who try to see them.

Mr Hargreaves: Correct it, Bill. It's not true.

MR STEFANIAK: I hope you do, John.

Mr Hargreaves: You correct it; it's not true.

MR STEFANIAK: They are not terribly impressed with you—

Mr Hargreaves: Don't mislead the place, mate.

MR STEFANIAK: Why don't you see them again? You might be able to do something to help them, because they are still being screwed.

Mr Hargreaves: It's a procurement system, and you know how it works.

MR STEFANIAK: Yes, I do, John; I also saw people a lot more than I think you lot ever did.

Mr Hargreaves: Yes, so did I.

MR STEFANIAK: And you have to do that as a minister because that is part and parcel of your role. When we look at housing, Mrs Burke is often complaining about this: there is a real problem in relation to antisocial tenants. I know it is not easy, but the legislation has been changed to make it easier to evict people, and it is totally inappropriate for people who have absolutely no social skills, who make the lives of other tenants, be they in a complex or in freestanding houses, a misery, to remain in those houses. This is simply not being addressed by this government or by this minister. It is something the minister has not properly addressed.

Another item listed in the motion is shopfront closures. That has caused a huge problem for people. Most people in this town have a limited amount of time for lunch. They have to go, for example, to the motor registry at Dickson. The average time you have to wait there is about 30 minutes or so. If you are lucky, it might take about 20 minutes, but at lunchtime I am told that a 30 or 40-minute wait is quite common. People simply do not have the time for that. The shopfronts were convenient places for people to go to. They did not cost a lot to operate. They were closed without consultation, and it is another case of a bad decision by the minister—it is his responsibility—and by the government.

Again, it was done in the context of the 2006-07 budget—the horror budget we supposedly had to have, and which was completely unnecessary, especially as the government has an extra windfall in the forthcoming year of over \$200 million. The closures saved a pittance of money and it was a very bad priority for the government and the minister, having regard to the inconvenience caused to the Canberra community. It was a bad decision by the minister. It was a decision that impacted on a huge number of people. If he had consulted people, I would hope he would not have come up with that.

There is a litany here—a whole range of issues which Mr Pratt has rightfully listed and which indicate that the Assembly would be quite justified in lacking confidence in the ability of this minister to do his job. Being a minister is a difficult and arduous role, but you do need to talk to people and get your decisions right. You cannot continue to make bad decisions and not expect to have them put before the Assembly for scrutiny.

You cannot let something like the Tharwa bridge drift on for 400-plus days, until finally some proper action is taken. You cannot let projects blow out to double the cost and still cause problems, such as the GDE. With things like the Griffith library, you might think you know what people think about it, but at least you should ask them. You never know; when you ask them, they might come up with some very good solutions that you and your department had not thought of. Try doing that: talk to people. There are a lot of intelligent people in Canberra who could come up with some very good solutions. They know that governments often have to struggle with money. You can never do everything for everyone, but at least if you talk to people, even if you make a decision, people will understand it a bit better than when you just arbitrarily make all these arrogant decisions. For that reason, you deserve to go. (*Time expired.*)

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (4.15): I am very pleased to rise in support of my colleague Mr Hargreaves and to express my confidence, the confidence of the government and the confidence of the people of Brindabella and of Canberra in the minister. In particular, I will highlight the series of significant achievements that Minister Hargreaves has had stewardship of, and refer to his long contribution to the people of Brindabella through his service in this place as a member and also as a minister.

In looking at the list that Mr Pratt has put forward as an alleged litany of failures, and having heard two speeches from opposition members, what we have seen is an entire lack of policy substance. A couple of random issues have been picked on. We had the tabling of some photos of graffiti on private property as some major case that should cause the minister to resign.

I look at the list and I am drawn to the issue of taxis. That is where the policy hypocrisy of the Liberal Party is at its utmost. I look across the chamber and see a former shadow transport spokesperson—someone who has used her time in this place to obstruct significant reform in the taxi industry. I take this opportunity to pay tribute to Minister Hargreaves for his dedication in moving away from a failed system of allocation of taxi licences and looking towards leasing licences, the creation of a demand-responsive transport system in the ACT, and a range of reforms. And I take the opportunity—

Mrs Dunne: You haven't done a thing about demand-responsive—

Mr TEMPORARY DEPUTY SPEAKER (Mr Gentleman): Order, Mrs Dunne!

Mrs Dunne: You said it was not your job.

MR TEMPORARY DEPUTY SPEAKER: Mrs Dunne!

MR BARR: I take the opportunity again—

Mrs Dunne: You said it was the job of the market.

MR TEMPORARY DEPUTY SPEAKER: Order! Mrs Dunne, I have called you to order twice. Please stop interjecting.

MR BARR: I take the opportunity in particular to highlight the minister's responsibility for reform of the hire car industry and his long-held and passionate belief in the need for reform and the need for adequate compensation in achieving that reform. The minister achieved a very positive policy outcome in the transport area. He has backed that up through further reforms to the taxi industry in the ACT, to remove some of the restrictive practices that led to the industry being in the dire situation that it was in.

This minister, through a series of consultations and intelligent reforms, has responded and has created a legislative structure that enables growth and competition in the taxi

industry. We have a second network operating in the ACT, which is important for competition in the territory. He has deregulated the hire car industry and is looking at further means of providing the legislative solutions and responses to enable that industry to grow even stronger. It is important that we recognise that work. I know that those opposite, certainly in the area of hire cars, have been complimentary regarding the contribution the minister has made.

Let us look at a range of other areas. Again, there is a constant theme. It is interesting that the shadow Treasurer has left the chamber; he is embarrassed by the position that has been put by shadow ministers in opposing specific reforms that improve the efficiency of the delivery of government services. Mr Mulcahy goes on about this regularly—and he is right. It is important that governments continually look at how they deliver services to ensure that they are delivered more efficiently. That is what this minister has done in a number of areas, and he has had to take some difficult and courageous decisions in order to reform service delivery.

When you look across the range of areas where this minister has had to engage in difficult reform processes, you will see he has undertaken that with passion and commitment, and he has consulted extensively. He has fronted the public meetings he has needed to front to explain why certain reforms are necessary. He has invested significantly in backing up those reforms. In particular, we can look across the road at the new Civic library as an example of where reform of the library system was necessary, and he has invested in the quality of the system.

This minister has been able to deliver quality outcomes and he has been able to address inefficiencies in service delivery in order to reinvest money where it is needed—in front-end services. That has meant from time to time that he has had to take difficult decisions that were important for the structure of the territory's budget and the ability to run government services efficiently and effectively, and which have also meant a strengthening of services in key areas where he has had portfolio responsibility. He has been prepared to make those difficult decisions in the face of the sort of petty opposition that you get from those opposite—the constant, short-term, contradictory policy positions that are put forward.

On one hand the shadow Treasurer likes to wax lyrical about his economic management skills and about how important it is for efficient delivery of services, but on the other hand what we see from each of the shadow ministers is an attempt to block the sorts of reforms that are necessary to ensure the efficient delivery of services. The Liberal Party is a party that can barely hang on to the title of Liberal Party—the conservative party in Australian politics. It is out of office in every parliament in Australia.

Ms MacDonald: The Tories.

MR BARR: The Tories—out of office in every parliament in Australia. The people of Australia have made pretty clear their verdict on the policy positions of those opposite. But they try to walk down both sides of the street. They are all hairy-chested, saying, “We must reform, we must cut back, we must cut our inefficiencies, we must focus services into the front end.” Every time this government has taken steps to do just that, to reform the delivery of services, to improve efficiency and to put money and resources into the front end, those opposite oppose it.

Today is just another example of the policy hypocrisy from the Liberal Party, the conservative party of Australian politics. It is perhaps one of the great frauds that they perpetuate on the people of Australia that they are a liberal party, because they are not; they are the conservative party and they are out of office in every jurisdiction in Australia. We all know why. The people of Australia know why; they cast their votes decisively against the policies, rhetoric, hate and bile that you get from those opposite. This is just another example. They have nothing substantive to say on the policy issues; it is a matter of tabling a few photos of graffiti. That is the key point. That is Mr Pratt's major point, and the best he can do. They have been building up to this all day, throughout question time. And what do we get? We get 12 photos tabled.

It proves that Mr Pratt, or at least someone in his office, can use a digital camera. We note that; that is an important advance. He is able to print it out and bring it in here. It is interesting that, when challenged, he admits that the graffiti was on private property. To hold the minister responsible for graffiti on private property and say that that is the reason that the Assembly should have no confidence in the minister is a farce.

The people of Canberra know it is a farce. They know that this mob opposite are a farce. This party, in every parliament in Australia, will be in opposition for quite some time, it would seem, because they are perpetuating a fraud on the people of Australia. They are not a liberal party anymore; they are the conservative party of Australian politics. Long may they sit on the opposition benches. Contributions like today's give further evidence to the people of the Australian Capital Territory that that is where they belong, as petty nitpickers with nothing substantive to add to the public policy debate in this territory.

All they do is seek to nitpick, and the best they can do is to table some photos of graffiti. Seriously, I cannot believe that they would expect this Assembly to take a vote of no confidence in this minister on the basis of the presentations we have seen from the shadow minister and from the Leader of the Opposition—whilst he holds that role, because, as we know, Mr Smyth and Mr Seselja are doing the numbers and doing the deal to remove the current leadership team. I think we can boldly predict that by Christmas there will be a new leader of the Liberal Party, and that would be the third or fourth in this term. There you go: the party of opposition in every parliament in Australia.

DR FOSKEY (Molonglo) (4.26): I have to agree with Mr Stefaniak that there are a lot of intelligent people in Canberra and I wonder what they would think about this if they could see it. I take an objection to private members day being taken up in this way. I feel that the debates that we were having about school closures, and that we are about to have—I hope—about greenhouse and the government's climate change strategy are of a great deal more import and a great deal more interest to the people of Canberra.

Mr Seselja: Mr, Speaker, I take a point of order as to relevance. What Dr Foskey is saying is not relevant to the subject matter before the Assembly.

MR SPEAKER: Dr Foskey had just entered the debate and was talking about some of the things that Mr Stefaniak had said.

DR FOSKEY: The opposition will know that in the past I have supported them in a censure motion against Mr Hargreaves. When I tell them I am not going to support this one, some sort of abuse will be hurled at me because I am not playing the game they are playing. I think this is a time-wasting issue. I will not say it is frivolous but it is certainly an over-reaction to a situation. I have looked at all the issues here. On the balance of evidence, had it come out another way, I would have supported the motion, but looking at all the issues in this motion I have decided that I cannot support it.

The first part of the motion deals with his failure as a minister, and there are five dot points. They are just too vague. Any one of those points could be said about any minister not just in this territory but in this land. When we get down to the more specific issues, the thoughts are a little more graduated. They are complex issues; they are not black and white. That is what really concerns me about these kinds of motions: you either agree with them or you do not, and there is so much territory in between.

With the Tharwa bridge, I have often talked to the Tharwa people and I know their frustrations about that bridge. I have to say there has been a lack of transparency. My office, for instance, has tried without success to get access to engineers' reports. I would have complained about the length of time it has taken to act, but then again, maybe it was good that it took so long, so that no wrong decision was made that would have had to be undone. I actually think we could be going the right way now. I am glad about that; let us just accept that. I am totally sympathetic because the Tharwa people suffered a double or triple whammy, and they had every reason to complain about the fact they had to drive for longer on more dangerous roads to schools that they did not think they should have to take their children to.

With respect to road funding, I have not had a single constituent contact me about road issues, so I cannot speak about that. They probably contact Mr Pratt. Of course, that makes sense. With respect to the GDE, people are well aware of the Greens' position on that: it is a bad idea and perhaps it has been badly executed. With respect to Griffith library, I have already supported a no-confidence motion on that issue, and I hold the same opinion now. With respect to the busway, the Liberals think that is a bad idea; I think it is a good idea because we now have a designated route so that some far-seeing minister can institute a sustainable transport system. And that is where we are going, whether you like it or not. That work has now been done.

With respect to ACTION timetables, I agree that the budget cuts were a bad idea, but we have to condemn the whole government for that. We have to condemn the government for instituting a review that we were then not allowed to see and which apparently recommended some very silly cuts that have politically damaged the government, some of which it is now trying to repair. I do commend the recent network changes. There are still problems. I hope the consultation is real. I do not know that the new network will mean that the timetables go back to where they were when people seemed reasonably happy with them. But I do note that there is a move towards an integrated transport system, and that is something the Greens have always said is the right thing for Canberra because it is not like other cities. It was designed as a car city. We need innovative, complex responses, with a variety of kinds of travel.

With respect to rock throwing at buses, does that only happen in Canberra? I think Mr Corbell has come out with a reasonable response to rock throwing at buses. I do

not know how you stop these things happening unless you have someone standing beside every single person who might look as though they are going to throw a rock at some time. I notice that all our new overpasses have got screens, and they would be very difficult to throw rocks from. That is such an easy one. It is like health: there will always be waiting lists. There will probably always be silly people who throw rocks at buses.

With respect to the Grassby statue, there was a poor process but the statue is okay. Let's not throw out the baby with the bathwater. With respect to the insult to Vietnam veterans, I have heard worse in this chamber today, and do frequently, in relation to those kinds of things. With respect to FireLink, it does not look too good; there needs to be an inquiry and we need more information. With respect to the ESA headquarters being moved to Fairbairn, that does not seem practical. The decision seems to have been made at such a time that I am not sure Mr Hargreaves was responsible for it. Maybe the legal affairs committee's inquiry could look at that.

With respect to housing, at least the minister stood up for housing, and he stands up for housing tenants. Those are not the kinds of words I was hearing. If I was hearing the opposition say we need more public housing and we should make sure there is a social mix, I would be more inclined to agree on that one. But no; it is the usual thing about misbehaving tenants not being handled properly. There are other issues that the opposition sometimes raises about housing that I do agree with.

I agree about Revolve. I did not support the change with Revolve. I do not have all the information. I have talked to Revolve extensively and I have talked to the NOWaste people. I am still concerned about it. Revolve is a bit like Phoenix—a good community organisation. The “better bits” section are happier than they have ever been out there at Pialligo. It is fantastic. They do need help out on that Hume site, and they need security on their site. I hope the minister is acting on that.

I think the government has a good approach to graffiti. Mr Pratt has an obsession with graffiti and I thought he might be a bit too embarrassed to mention it. With respect to taxis, good stuff is happening. I do not know about the opposition but I have had briefings on taxis for people with a disability. There are really good, positive moves happening there. With respect to Nightlink, I think that looks promising. I do not want to condemn that yet. There are real problems with taxis. They are expensive in this city, there are not enough of them—and sometimes there are too many—and I think there are issues with security. Let us tackle those issues.

With respect to No Waste by 2010, I think we have lost that one. I would like to see a more concerted action by the government to really reaffirm that. If it is not possible to achieve it, let us set a realistic target and program to get there. With respect to shopfront closures, I thoroughly condemn that. I agree there has been a lack of consultation on those issues, but that is true of the whole government. With respect to misleading over reports, I have already mentioned my concerns about the Tharwa bridge.

As for personal standards of behaviour in regard to all those places outlined in the motion, I actually think Mr Hargreaves has improved his act lately. You could stand there and say, “I can see you're trying, Mr Hargreaves.” I actually think he is. But I

have been appalled at his behaviour in the past and I may be appalled again. I do not like the way he has spoken about some community organisations that are advocates for their constituents.

Mrs Burke: You are letting him off the hook a lot here, Deb.

DR FOSKEY: Nothing is black or white, is it, Mrs Burke, although you might like to say otherwise. With respect to representing the ACT government, I have to say that Mr Hargreaves seems to be popular in forums where he represents his portfolios. On the whole, because a no-confidence vote in a minister is a very serious issue, with all that in mind, I will not support this motion.

MR SMYTH (Brindabella) (4.36): It is interesting, the bar that Dr Foskey sets. She has just run through the list of 18 failures of the minister, basically agreed with all but three of them and then said that there is not enough evidence. I am not sure how one proves anything to the Greens. But it is interesting.

Mr Barr said, "I will defend the minister. I am going to talk about his wonderful record." But he ran out of examples in about four and a half minutes and for the last five and a half minutes of his speech he simply attacked the Liberal Party. That is fine. He said that we have a lack of policy substance. Well, I will give you two examples, Mr Barr. The LINK project is a project that I started. It only took your government six years to complete it. We had a five-year roads program that started in 2000. Your government, Mr Barr, faithfully reported on the program in every budget paper until this year. Last year we pointed out to your government that you were still using our road program. Where is your policy on a road development program in the ACT? Where does it appear in the budget? It does not. Mr Barr's arguments do not carry.

Mr Hargreaves did the same thing. He was going to get up and defend his record, but in less than six minutes he got straight into the personal attack. He could not list for the Assembly and the people of Canberra the things he had done or validate that they had not been failures. His own words turned very, very quickly on himself in the argument. He attacked Mr Pratt and said, "You have shown me some graffiti of private homes." He should have listened to what Mr Pratt said. Mr Pratt said, "Because of your inability to clean up graffiti on your premises in Reid, it has now spread throughout Reid and into Braddon." That is how it works. If it is not cleaned up within 24 hours, it emboldens the graffiti artists and off they go. That is simply what has happened. That is a confirmation of this minister's failure.

At the nub of this motion is the Tharwa bridge. I would like to explore the Tharwa bridge issue a little. It is the issue about which Mr Hargreaves often comes into this place and misleads this Assembly.

MR SPEAKER: Withdraw that.

MR SMYTH: That is at the heart of this.

MR SPEAKER: Withdraw that.

MR SMYTH: Paragraph (3) of the motion refers to "misleading over reports".

MR SPEAKER: Withdraw that.

MR SMYTH: It is a matter of substantive debate, Mr Speaker. It is there in the motion. Paragraph (3) refers to “misleading over reports”. Surely I can quote from the motion?

MR SPEAKER: My apologies.

MR SMYTH: Mr Hargreaves has come in and misled this place. I want to quote from the *Hansard* of 14 November 2007. Mr Hargreaves was asked how much it would cost to fix the bridge. He responded:

How much would it cost to actually restore the old bridge? Of course, the costs came in at around about \$10 million, or thereabouts, with \$100,000 a year for maintenance, and the bridge would be guaranteed for a period of 20 years. A concrete and steel bridge across that river is guaranteed for 100 years. Twenty years later, we would be back doing it again.

The cost of restoration on 14 November 2007, according to the minister was “about \$10 million”. Interestingly, the minister and his department have a brief written by RTA bridge maintenance south-west road services on 28 September 2007 that says that the actual cost of fixing the bridge is \$4,987,710. So who is the minister fooling?

Mr Hargreaves: It is an incomplete list.

MR SMYTH: Oh, it is an incomplete list!

Mr Hargreaves: You have an incomplete list.

MR SMYTH: You table the brief.

Mr Hargreaves: I just checked it now.

MR SMYTH: You table it. Mr Pratt asked you to table it and you shilly-shallied all over the place. Let us go to that, then. Again on 14 November, Mr Hargreaves is asked by Mr Pratt:

Minister, what analysis has your department undertaken of the New South Wales RTA report about the future of the Tharwa bridge? What was the outcome of that analysis? Will you table this report by close of business tomorrow?

That question was asked on 14 November 2007. Have we seen the report? No, we have not. Did he answer the question? No, he did not. He just shimmied around the whole issue. His answer was quite emphatic. He said:

I will get a bridge across that river, and I am not going to stop the process—quite apart from the fact that it is not within anybody’s authority anyway—

There you are, Chief Minister. It is not within your authority to stop this process. Why—because Mr Hargreaves has said so. This is the whole point. On 25 September Mr Hargreaves was asked a question, to which he responded:

So it would be inappropriate for me to take anything to cabinet unless I had as complete a set of documentation around those issues as I can obtain. At this stage, they are almost complete.

So here we are with the minister anticipating the RTA report, yet he is still in denial when he comes back into this place in November. He misled the house. He was clearly asked about the cost of restoring the bridge. He talked about the Baileys and the ownership of the Baileys, and that is mentioned here as well. The bridge could be up and operational within about 60 weeks. The minister has misled the house. He has been given the opportunity on a number of occasions to table the report and he has refused to do so. That is the nub of this problem.

It is all well and good for the Chief Minister to say that he has lots of confidence in the minister. But the reality is that yesterday, late in the day, very late in the day, the Chief Minister took over. There was a palace coup. The palace has taken back Tharwa bridge from Mr Hargreaves. That is the final confirmation, in many ways, that the minister misleads this place. In his press release dated 4 December 2007, the Chief Minister referred to various options and said:

- proceeding with the decision to build a new bridge. This option would almost certainly result in the demolition of the old bridge, since there is a serious risk that the old bridge will collapse if not rebuilt.

The minister was asked if the old bridge was going to be demolished, and he refused to answer the question. He had knowledge available to him through his officers. His representative attended the meeting in the Chief Minister's where I understand this report was discussed. They knew that the bridge could be saved for half the \$10 million mentioned. The minister does not have the courage to say, "I misinformed cabinet. I misled my colleagues. I misled the Assembly. I am not capable of being a minister and getting it right." That is the nub of what we do here today. The motion lists the enormous failures of this minister.

The minister has failed or breached the ministerial code of conduct and nothing has happened about it. He has failed or breached the code of consultation and nothing has happened about it. Indeed, the Chief Minister was asked today if he had ever discussed the minister's behaviour with him and he said, "No." I remember an article after last year's estimates debacle which reported that the minister was spoken to by the Chief Minister. The Chief Minister expressed his regret at the behaviour of the minister, but still it goes on. This is a minister who stumbles from disaster to disaster.

We had another one just the other day. The *Canberra Times* of Saturday, 1 December reported that the minister responsible for ACTION, the minister responsible for getting people on buses, thinks that to get a bus home is a punishment. There was a heckler at a function that Mr Hargreaves attended. Mr Hargreaves said, "Any more of that and I'll make you catch an ACTION bus home." There you go. That is pride in the bus service that he has created.

Mr Hargreaves said, "I will back my record against Mr Pratt's record any time." Mr Pratt is in opposition. He is here to question the minister. That is our job. But if you cast your mind back, Mr Speaker, just to the last quarter, Mr Pratt has put, and

maintained, on the agenda the issue of rock throwing at buses and now, to the credit of Mr Corbell and the absolute shame of Mr Hargreaves, it has been elevated to the level of an international issue by Mr Corbell at the recent police ministers conference in New Zealand. Well done, Mr Pratt! If that is ineffective, then you are doing a good job.

The other issue, of course, is the Tharwa bridge. Mr Pratt has been out in the community—I have been out there with him—at the shopping centres. If you went to a shopping centre occasionally, Johnno, you might learn about how people feel about the Tharwa bridge. They see it as a microcosm of the failure of the Stanhope government: no road, no bridge, no school and no hope. That is what they are saying. There is no hope for Tharwa under the Stanhope government, and they suspect that they are being victimised because Tharwa residents stand up to this government. Val Jeffrey and others have stood up and said their piece and they have been punished.

The minister has misled the Assembly. He has failed to do his job, failed to adequately manage, failed to deliver any project on time, failed to deliver on budget and failed to ensure that standards for which he is responsible are met. He says, “How can you put taxis on the list? It is a private enterprise.” Yes, but you are the minister responsible for their legislation. The minister has failed to follow appropriate process, and the best example of that is the Tharwa bridge. He staggers from disaster to disaster on the bridge. He is contradicted by his own words, by his own reports and by his own Chief Minister who has been out of the Assembly during this debate so that he did not have to defend Mr Hargreaves.

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (4.46): I think Mr Smyth’s speech summed up—Dr Foskey went to this as well—the seriousness with which the Liberal Party treat this particular motion, a motion which, at its heart, is that the Minister for Territory and Municipal Services should be sacked; that he should lose his job.

A motion of no confidence is a motion that a minister should be removed from his portfolio responsibilities. It seemed to me that the gist of the rising crescendo that was Mr Smyth’s hysterical response was that the minister should be sacked for his lack of capacity to tell a good joke. Amongst the litany of apparent failings is that the joke he told at the November celebrations was not particularly good. Among the reasons advanced by Mr Smyth for Mr Hargreaves being called upon to resign is a bad joke. You could almost leave this debate at that point. In a debate on a motion that a minister should be removed from his ministerial responsibilities, that he should be sacked, Mr Smyth stands up and says that the minister should be relieved of his responsibilities because he told a bad joke. I actually thought that it was quite a clever joke.

Mr Hargreaves: It was a great joke.

MR STANHOPE: I thought it was a good joke. I will bet it got a good round of laughs. I thought it was quick and witty. It was essentially a quite good joke. And the

ultimate point in Mr Smyth's dissertation as to why Mr Hargreaves should be sacked as the Minister for Territory and Municipal Services is because at a public event he told—in Mr Smyth's perception—a bad joke.

I think it sums up the tenor of this particular debate that we have spent nearly two hours debating this motion on private members day. As Dr Foskey says, on private members day we debate issues around public education, and of course we know what the Liberal Party think about any consideration of public education. We are about to commence a debate in relation to climate change, and we know what the Liberal Party think about climate change. We know why the Liberal Party in this place do not want to discuss public education. They believe that it is good money after bad. We know why the Liberal Party do not want to talk about climate change. They have an absolutely appalling record in relation to climate change.

On our last sitting day, the Leader of the Opposition, having been fed the last budget papers of Gary Humphries as Chief Minister by Mr Smyth—it is almost as if Mr Smyth deliberately feeds to Mr Stefaniak material that actually will make him look like a buffoon—jumped up, without having fully read the papers that were handed to him by Mr Smyth, and said, “Yes. In our last budget when we were in government we provided \$180,000 for climate change. We changed the light bulbs at Macarthur House.” That \$180,000 represented the total financial commitment by the Liberal Party to their much vaunted climate change strategy. Bill Stefaniak and Brendan Smyth's contribution to climate change, to greenhouse gas abatement, to working towards their target in their climate change strategy consists of \$180,000 to change the light bulbs at Macarthur House.

Mr Gentleman: I hope they switched them off on their way out.

MR STANHOPE: That is right. They did switch the lights out as they left, and they have been out for a long time. They will be for a while to come on the basis of the strength of this performance today. It is a deliberate stunt designed to distract attention from the fact that they do not have policies, they do not want to discuss public education and they do not want to discuss climate change—they do not want to discuss anything of any substance. They stand for nothing; they mean nothing.

The only time you see any impassioned response from the Liberal Party is when they are discussing leadership—when Mr Mulcahy is discussing with his faction when he should make his move; when Mr Smyth is discussing with members of his particular faction whether or not it is time to remove Mrs Burke because of her ineptitude and place perhaps Mr Seselja in the deputy leadership as a move towards his ultimate taking over of the leadership and to thwart Mr Mulcahy's ambition. When was the last time anybody in this place saw Mr Mulcahy and Mr Smyth speak about anything or at least speak civilly? It is a result, of course, of the long-simmering hatreds as a result of Mr Mulcahy's quite rightful removal of Mr Smyth from the leadership as a result of his continual ineptitude.

This motion is a nonsense. In addition, of course, to the forceful points made in the debate as to why Mr Hargreaves should be asked to leave his ministry, we are told that the minister should be sacked because he told a bad joke. Actually, it was incredibly well received by the audience. I must say, too, that Dr Foskey made some

interesting points. The one that jumped out at me was that the minister should be asked to resign, should be sacked and removed from the ministry because some people threw rocks at ACTION buses. The minister is to be asked to resign because a rock was thrown at an ACTION bus. The minister is asked to accept personal responsibility for the throwing of a rock at a bus.

Under Westminster principles, as interpreted by the Liberal Party, the minister should resign. According to the Liberal Party, these are the stated reasons why the Westminster convention of ministerial responsibility should be brought into play. Somebody threw a rock at a bus and the minister was not there to prevent it. As a result, the Liberal Party believes that the Westminster convention of ministerial responsibility demands that the minister resign. Let us just expand on the notion that if a minister is not there when a bus is hurtling down a highway to prevent the throwing of a rock at the bus the minister should resign. I do not think you would have a single minister standing anywhere in Australia if that was your standard of ministerial responsibility—that a criminal act by a person or persons unknown was not prevented by the minister of the day.

What an incredible proposition! Let us explore the seriousness of this motion. The Liberal Party of the ACT believe, we hear, that a minister who tells a bad joke at a public event should be sacked and that a minister who is not there to prevent the throwing of a rock at a bus needs to accept the ultimate sanction dictated by the Westminster convention in relation to ministerial responsibility and resign his portfolio because he did not prevent the throwing of a rock at a bus. That is the intellectual basis for this motion of no confidence in this minister by the Liberal Party.

Let us look at the motion. It refers to security at bus interchanges. We heard earlier today about security on public transport. After seven years of Liberal government there was not a single security camera on a single bus. Security, of course, is enhanced by a whole range of methods. The most significant security initiative pursued in relation to public transport in Canberra was the funding by the minister responsible for transport, John Hargreaves, of a security camera on every single bus. We have come from a base of no buses with security cameras under the Liberal Party to a security camera on every single bus under John Hargreaves.

We are looking at ministerial responsibility. What are we to make, then, of the security on buses that we inherited from the Liberal government? Who was the last transport minister under the last Liberal government, Mr Stefaniak? Actually, I think it might have been Mr Smyth. Brendan Smyth stands today and condemns this minister for transport for a lack of attention to security in public transport. Mr Smyth now acknowledges that when he was minister he did not place a single security camera on a bus or do anything to enhance security on public transport in the ACT. That was his standard as minister. Now, of course, he applies a different standard to a minister who has provided for a security camera for every single bus. There is the standard.

The Brendan Smyth standard involved not a single contribution to safety within ACTION—on ACTION buses or at interchanges. Brendan Smyth acknowledges that when he was minister he did nothing about security for the public transport, not a single thing. He sits there and smiles about it. He says, “When I was minister, I got

away with it. I did nothing. But I want John Hargreaves to resign because he did not do enough. But he did 100 per cent more than I did.”

How do we apply this ministerial standard? Brendan Smyth acknowledges here today publicly that as minister for transport in the last Liberal government he did absolutely nothing to make buses or public transport travel secure. Yet he wants a minister who has done something, who has provided a security camera for every single bus in the fleet, to resign for not doing enough. What an amazing double standard that is! (*Time expired.*)

Motion (by **Mr Corbell**) put:

That the question be now put.

The Assembly voted—

Ayes 9

Noes 6

Mr Barr
Mr Berry
Mr Corbell
Dr Foskey
Ms Gallagher

Mr Gentleman
Mr Hargreaves
Ms MacDonald
Mr Stanhope

Mrs Dunne
Mr Mulcahy
Mr Pratt
Mr Seselja
Mr Smyth

Mr Stefaniak

Question so resolved in the affirmative.

Question put:

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

The Assembly voted—

Ayes 6

Noes 9

Mrs Dunne
Mr Mulcahy
Mr Pratt
Mr Seselja
Mr Smyth

Mr Stefaniak

Mr Barr
Mr Berry
Mr Corbell
Dr Foskey
Ms Gallagher

Mr Gentleman
Mr Hargreaves
Ms MacDonald
Mr Stanhope

Question so resolved in the negative.

Questions without notice

Schools—international student assessment

MR GENTLEMAN: Thank you, Mr Speaker. My question is to the minister for education. Can the minister comment on the performance of the ACT in the program for international student assessment results?

MR BARR: I thank Mr Gentleman for the question. Most certainly I can comment on the results for the ACT in the program for international student assessment. The

results were released yesterday. I am very pleased to advise the Assembly that the ACT, once again, performed well above the Australian average and comparable, in fact, with most of the leading countries in the OECD. We are the best educated and on par, as I say, with the high performing countries.

PISA carries out this testing every three years, and this is the third assessment. The major focus of the 2006 assessment was scientific literacy. PISA assessed just over 14,000 students in 356 schools across Australia and, around the world in over 57 countries, assessed more than 400,000 15 year-old students. In the ACT, 26 schools and around 1,000 students participated in the assessment.

I can advise the Assembly that in science the ACT score in 2006 was significantly higher than in all states other than Western Australia, which achieved the same results as the ACT, and that over 20 per cent of ACT students achieved in the top two bands, band 6 and band 5, which is the highest in the country and equal to the top performing country in the world, Finland.

I can advise that Australian students achieved a mean score of 527 in scientific literacy, which is significantly higher than the OECD mean of 500. Australia was outperformed in scientific literacy by only three countries in 2006, the same result as in 2003. I am pleased to advise that there was no gender gap in the ACT's performance and nor in Australia for the overall results in science.

In reading literacy, the ACT, again alongside Western Australia, achieved the highest mean score. Forty-six per cent of students in the ACT were in the top two levels of reading literacy. In mathematics the score for the ACT was similar to that of Chinese Taipei, the highest performing country. Once again the score for the ACT was significantly higher than the Australian average.

The PISA results show that ACT students are keeping their position as the best educated in the country across a range of areas. However, there is no doubt that there is room for Australia to improve its performance and I am very confident that with the election of a federal government—the Rudd Labor government—that is interested in education and working with states and territories we will see a further improvement in Australia's results.

The rest of the world is investing heavily in education. The ACT government is investing heavily in education, and we welcome the election of a federal government that is going to invest heavily in education—a government that will stand in marked contrast to the 11 years of desperation and derogation of duty in the area of education of the previous Howard government. Let it be clear that the education revolution is a clear positive policy that Rudd Labor took forward to the people of Australia. On 24 November they won a ringing endorsement of their policy to invest and to take education seriously, to invest in early childhood education, to invest in information technology in our schools and to provide more support for the states and territories to deliver even better education outcomes. We know what the position of the opposition is on investment in public education.

Mr Seselja: Yes, that you should not lie to the people when you go to an election about closing schools.

MR BARR: We know that the opposition believe that investment in education is throwing good money after bad.

MR SPEAKER: Order! Withdraw that, Mr Seselja.

Mr Seselja: I am sorry, Mr Speaker. Which part?

MR SPEAKER: I heard you interject along the lines of “you should not lie” and I want you to withdraw it.

Mr Seselja: We have, a number of times, in debate, discussed the approach—

MR SPEAKER: This is not a debate. This is questions without notice. Just withdraw it.

Mr Seselja: I withdraw that, Mr Speaker.

MR BARR: Thank you, Mr Speaker. The ACT has again performed very strongly. I believe that these results cap off a very positive year for education in the territory. They come on the back of an excellent response from parents, students and staff around satisfaction levels, with more than 90 per cent satisfied with public education. This year, 2007, has seen a significant investment in our education system, both government and non-government. I am very pleased to be able to deliver these major reforms and this major investment in education. (*Time expired.*)

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

Children and Young People Amendment Bill 2007

Revised explanatory statement

MRS BURKE (Molonglo): I apologise and thank members for their indulgence. There was a small typographical error on the explanatory statement for the Children and Young People Amendment Bill. I seek leave to table the revised explanatory statement.

Leave granted.

MRS BURKE: I table the following paper:

Children and Young People Amendment Bill 2007—Revised explanatory statement.

Papers

Mr Corbell presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Dangerous Substances (Explosives) Regulation—Dangerous Substances (Explosives) Authorisation 2007 (No 1)—Disallowable Instrument DI2007-286 (LR, 19 November 2007).

Occupational Health and Safety Act—

Occupational Health and Safety Council (Deputy Chair) Appointment 2007 (No 1)—Disallowable Instrument DI2007-271 (without explanatory statement) (LR, 15 November 2007).

Occupational Health and Safety Council (Employee Representative) Appointment 2007 (No 1)—Disallowable Instrument DI2007-272 (LR, 15 November 2007).

Occupational Health and Safety Council (Employee Representative) Appointment 2007 (No 2)—Disallowable Instrument DI2007-273 (LR, 15 November 2007).

Occupational Health and Safety Council (Employee Representative) Appointment 2007 (No 3)—Disallowable Instrument DI2007-274 (LR, 15 November 2007).

Occupational Health and Safety Council (Employee Representative) Appointment 2007 (No 4)—Disallowable Instrument DI2007-275 (LR, 15 November 2007).

Occupational Health and Safety Council (Employer Representative) Appointment 2007 (No 2)—Disallowable Instrument DI2007-280 (LR, 15 November 2007).

Occupational Health and Safety Council (Employer Representative) Appointment 2007 (No 3)—Disallowable Instrument DI2007-281 (LR, 15 November 2007).

Occupational Health and Safety Council (Employer Representative) Appointment 2007 (No 4)—Disallowable Instrument DI2007-282 (LR, 15 November 2007).

Occupational Health and Safety Council (Ministerial Member and Chair) Appointment 2007 (No 1)—Disallowable Instrument DI2007-269 (LR, 15 November 2007).

Occupational Health and Safety Act and Legislation Act—

Occupational Health and Safety Council (Acting Employee Representative) Appointment 2007 (No 1)—Disallowable Instrument DI2007-276 (LR, 15 November 2007).

Occupational Health and Safety Council (Acting Employee Representative) Appointment 2007 (No 2)—Disallowable Instrument DI2007-277 (LR, 15 November 2007).

Occupational Health and Safety Council (Acting Employee Representative) Appointment 2007 (No 3)—Disallowable Instrument DI2007-278 (LR, 15 November 2007).

Occupational Health and Safety Council (Acting Employee Representative) Appointment 2007 (No 4)—Disallowable Instrument DI2007-279 (LR, 15 November 2007).

Occupational Health and Safety Council (Acting Employer Representative) Appointment 2007 (No 2)—Disallowable Instrument DI2007-283 (LR, 15 November 2007).

Occupational Health and Safety Council (Acting Employer Representative) Appointment 2007 (No 3)—Disallowable Instrument DI2007-284 (LR, 15 November 2007).

Occupational Health and Safety Council (Acting Employer Representative) Appointment 2007 (No 4)—Disallowable Instrument DI2007-285 (LR, 15 November 2007).

Public Place Names Act—

Public Place Names (Braddon) Determination 2007 (No 1)—Disallowable Instrument DI2007-268 (LR, 15 November 2007).

Public Place Names (City) Determination 2007 (No 1)—Disallowable Instrument DI2007-289 (LR, 19 November 2007).

Road Transport (General) Act—Road Transport (General) (Application of Road Transport Legislation) Declaration 2007 (No 5)—Disallowable Instrument DI2007-270 (LR, 14 November 2007).

Road Transport (Offences) Regulation—Road Transport (Offences) (Declaration of Holiday Period) Determination 2007 (No 1)—Disallowable Instrument DI2007-291 (LR, 23 November 2007).

Utilities Act—Utilities Exemption 2007 (No 3)—Disallowable Instrument DI2007-287 (LR, 19 November 2007).

Schools—closures

Debate resumed.

MR PRATT (Brindabella) (5.06): I think I have got about seven minutes left. We were talking earlier about Kambah high school in the Tuggeranong valley. We were talking about the stepping into the limelight program that they ran the other day, which—

Mr Barr: A good initiative of the minister for education that that happened, wasn't it?

MR PRATT: I do not know that you were even there, were you, minister?

Mr Barr: Yes, I attended the performance. It was my initiative.

MR SPEAKER: Order!

MR PRATT: Did you? Well, good on you. I hope you were not thrown out by a very angry community. That is very good. The question is: will this government really save the money that they are looking for in their closures or is it short-term gain but for long-term loss? The question you have to ask is: what is the use of saving funds to be allegedly focused on so-called priority education programs if in the process of saving that funding the government irreparably damages the local fabric of community and society? That is the issue that I raise here in relation to, shall we call it, the northern end of the Tuggeranong valley. Certainly with the closure of Kambah high school and

other schools there that community has really taken it in the toughest possible way. It is all fine for rational decisions to be undertaken for the good of the whole community, but not if there is damage that cannot be repaired.

There is an interesting debate around the demographics of these areas and what is likely to happen in five or 10 years. For example, at Kambah high school I think there were 250-odd students and it did not rate highly on the minister's radar, but I do recall that the numbers were not that dramatically low. When you look at that high school and its performance, at the numbers and at the fact that it is a fairly unique school in that part of the ACT, you would think that the government might have taken a better balanced decision, because now we have students who have to bus from that area of the Tuggeranong valley a hell of a long way to go to school.

The point is that if for the mere saving of some money and for perhaps the shifting of a couple of hundred students you are going to cause a lot of damage to that area socially, you have got to really look at the outcomes. What we would argue is that some bad decisions have been made simply on a mathematical and a statistical basis.

Mr Barr: So we should not spend \$54 million building them a new school? Is that the position? That is the good money after bad?

MR PRATT: And see Mr Gentleman, the member for Brindabella, over there nodding in agreement with the minister for education who is interjecting and saying, "Well, we had to close those schools, so tough." The fact is, Mr Speaker—

Mr Barr: No, my interjection was: do you oppose spending \$54 million on a new school in that area?

MR PRATT: Mr Speaker, if we can talk over those these interjections we might be able to conclude this debate at some time.

MR SPEAKER: Order! Cease interjecting, Mr Barr.

MR PRATT: We see little heart and soul on the part of the government and its backbenchers about the impact on these local communities. We talk about the saving of money. We talk about decisions being made on the basis that there may be a better concentration of schooling assets as a consequence of shutting down schools across the spectrum. The perfect example of this government's planning stuff-up in relation to all this in my view was when Minister Barr was asked by a Kambah high school student why he would not want to keep both Wanniassa and Kambah high schools open. I think his response, as reported to me by the students, was, "Well, two 7-10 high schools within two kilometres of each other is unviable." But if we look closely at the proposal we see a new P-10 school will be built on the Kambah high school site in 2011. But isn't that within—

Mr Barr: Yes, that's right; that will incorporate Village Creek, Urambi and Mount—

MR SPEAKER: Mr Barr, cease interjecting.

MR PRATT: You are like a galah over there, Mr Barr. You are chatting away, to yourself perhaps. But, Mr Barr, isn't that within two kilometres of the Wanniasa P-10 school? I would have thought it was. The lack of planning in this proposal is so obvious it can be pointed out to me and the minister by the students who are set to lose their school. Poor old Kambah high school; it has got a good little record, that school. By the way, in my estimation of that school's record and its performance, it was also looking after some disadvantaged students who come from that particular part of the ACT, so it was providing a valuable service.

The assessment of whether a school should be shut or not is a lot more complicated than this minister has made it out to be—a mathematical exercise and that is it. It was this government, by the way, which misled the ACT community that it would never shut schools. So on the back of that we have then got an insensitive minister who has just made these decisions. Of course this is the Kambah high school that Mr Gentleman earlier in this debate today did not even know existed in Brindabella. He did not even know. What sort of a member is this?

The government's claim in 2004 that it was categorically not going to close down schools has been proven to be a mislead. The drift has never been answered in this debate. The drift continues and so far this minister's closure program has not arrested the drift. What a failure.

MRS DUNNE (Ginninderra) (5.13): I wish to speak on Mr Barr's amendment and to move the amendment to Mr Barr's amendment circulated in my name. I move:

Add:

“(3) notes that the Stanhope Government misled the community about its school closure program prior to the 2004 election.”.

This is an interesting debate today because one of the things that Mr Barr wants to get away from is the issue—the most discomfoting issue for him—of how the Stanhope government lied to and misled the community about the notion of school closures before the 2004 election.

MR SPEAKER: I do not think the use of the word “lie” is very productive, Mrs Dunne. I have asked you to withdraw it before.

MRS DUNNE: I am sorry, Mr Speaker, I did not say that the Stanhope government lied in this place; I said it lied to the community.

MR SPEAKER: I know what you said. It is just—

MRS DUNNE: If you insist, Mr Speaker, but I think also there needs to be some consistency in the ruling.

MR SPEAKER: There is consistency. I have asked you before to withdraw. I do not like the use of the word “lie”. It is an accusation that people deliberately do things and I just do not think that it adds to the parliamentary comity of this place.

MRS DUNNE: Okay, Mr Speaker. In that case, on the basis of your ruling, I withdraw. But in moving my amendment to Mr Barr's amendment I draw the Assembly's attention to the Stanhope government's misleading of the community about its position in relation to school closures prior to the 2004 election. The position that was taken by the Stanhope government as expounded by Ms Gallagher, the then minister, and Ms Gallagher's adviser over a number of occasions in the run-up to the ACT election is very important.

To put this in context, and to put forward and strengthen the position put forward by the opposition as a consistent one, we have never shied away from the notion that from time to time we will have to look at school closures. Mr Pratt made that position before the 2004 election and what happened was that members and staff of the Stanhope government came down on him like a ton of bricks: "How dare you talk about it. How dare you talk about these things." Mr Pratt took the figures that were available at the time both to him and to the minister for education—the same figures that the now minister for education averted to today—and came to the conclusion that maybe in the future there would have to be some changes to the structure of schools. But we talked about how it would have to be done in a careful and consultative way.

Everything that we have done since then in relation to consultation over school closures has been consistent. At no stage have we said there should be no school closures. What we have said is that it has to be done in a way that does not bulldoze the community—not like the so-called school renewal process. It has to be open, it has to be all the information on the table, which has never been the case, and you have to put the problem to the community and have the community be part of the solution. That was never the case with *Towards 2020*.

Before this minister came along, his predecessor had consistently and regularly ruled out the possibility of closing schools not just between 2004 and 2008 but at any time in her political lifetime. I do not think Ms Gallagher is a figment of our imagination here as the Deputy Chief Minister, but before the last election her spokesman said, "There will be no school closures not only in this term 2004-08"—the time that we are currently in—"but at any time during Ms Gallagher's tenure as a member of the ACT Legislative Assembly." There can be nothing more definitive than that.

What the Liberal opposition has consistently said here in this place and in the community is that the Stanhope government before the last election did all that it could to dissemble on its position on school closures. Even as recently as May 2005 the minister was saying there would not be any school closures. But by July 2005 this was the same minister announcing the closure of Ginninderra district high school, Higgins primary school and Holt primary school. They put around the sophistry about this by saying, "But we are closing it so we can build a better school." In fact the community did not want a better school; they wanted the school that they had.

As recently as last weekend I came across a parent whom I first met during the debate about the closure of Ginninderra district high school; I think she was the first parent and her daughter was the first student to approach me after the school closure was announced. I asked this woman, "How is your daughter going?" She said, "Look it is really very sad. She went from doing very well in this school, from getting really good

grades in a school where she was appreciated and recognised, into a great big school, where she disappeared, and she has dropped out of school.” The number of children from Ginninderra district high who have dropped out of school or who are failing in their grades is a significant concern to me and it is a significant concern to their parents.

This is all on the back of a minister and the minister’s adviser who said, “We will not close schools in the next term. Even though the school age population is closing, we wouldn’t need to be looking at it,” said the spokesman, “during Ms Gallagher’s time in politics.” And then they went on to say, “But if the government was to close schools, it would only do so with the support of the community.” So the position before the 2004 election was: no, over Ms Gallagher’s dead body, and if we really have to do it we will have the community with us. Then some time in 2005 the position changed almost entirely in relation to Ginninderra district high school, and then there was a complete throwing out of that and a complete throwing out of any real and meaningful community consultation about the *Towards 2020* process. The consultation was a sham: for six months schools, school communities, children, parents, grandparents and businesses in the area were put through hell, sometimes for no reason but other times only to find out that their school was going to close.

We have talked about the figures already today. Mr Barr had a lot to say about the figures and how in some way we had a farcical approach to economics. Then he went on to say that because they were closing schools the Stanhope government had managed to turn around their budget problems simply on the back of closing schools. Yet by his own admission in his own budget papers in 2006 the savings were minuscule—\$2 million in the first year, rising to \$8 million in the last year of the budget. This is why we said at the outset that we opposed this wholesale closing of schools because the disruption it caused was not merited by the minuscule savings. As Mr Stefaniak has constantly said, it is very hard to save money from closing schools, which is why it was only ever done as a last resort.

Yes, there are always better ways of doing it. We learnt from our mistakes. We put together a consultation process which would have been much better and we had the decency to be honest with the community, to say that when the problems arose we would have to face them head-on, unlike the previous minister for education and her staff, who consistently and regularly misled the community and put together a whole fabric of circumstances. They said it would not happen in the life of this Assembly, not in the political life of the minister involved and, if it did, they would consult with the community. This is the same official who told me in my office, and who told the parents and the citizens association, there was no need to put the school closure consultation document back in the Education Act because there would be no school closures.

This is a government, led by Jon Stanhope, that has consistently misled the community over the status of school closures. It cannot be trusted, and this is why we must move this amendment today and put on the record for all of the community to see clearly that this is a government that misleads the community.

DR FOSKEY (Molonglo) (5.24): I will certainly be supporting the amendment. I was not in the Assembly to witness the words of the former minister. I was not an MLA in

those days. I suppose for me the issue is that I believe people voted for the Stanhope government with no idea that this was in their program—and perhaps it was not.

I just want to take us back to the 2010 process, which was apparently in progress, and to remind people here that other states have had similar problems—changing demographics, less money for public education as a result of the federal government’s policies—but they have tackled them in different ways. I want to remind people—I have told you here before, but I do not think the minister was listening, just as he is not now—of what happened in Victoria. I am not saying it is the best state in the world but the Victorian government did this one right. They got people together on the regional level—in the ACT I suspect you would go for the areas that are currently education department regions—and said, “We have got to save this much money; we have got these problems.” They put people together and solutions were come up with that did involve some school closures, but they were owned by the community.

The ACT Greens are not saying that no schools should close; they are saying that the right schools should close—and only with the right processes. It is just shameful that the government closed Ginninderra high. I remember those debates. Ms Gallagher was the minister then and she staunchly defended that decision to close Ginninderra high. I am not saying it was not the right decision, but the process was abysmal and they know it was abysmal. I talked to people at Ginninderra high at the time and the principal told me some of the problems that students from Ginninderra high were having at the school. But was there any evaluation of that process? None whatsoever. So the same mistakes were multiplied 30 times in the announcements that were made in the 2012. You would think that they would learn, wouldn’t you, especially when something had such an adverse local impact as the closure of Ginninderra high, and the fact that students were just willy-nilly meant to make their own way to other high schools?

Today when I was walking in Civic a parent from Cook primary school recognised me. He approached me and said, “What can we do?” Their school closes at the end of this year. They have done everything they can. They engaged in the consultations last year. I would like inverted commas put around that word “consultation” as it applied to school closures. They worked hard, they put hours and hours of voluntary labour into their submissions. They did it cynically but also in good faith, if you can say that, because Cook school was threatened for closure by another government; I think a Liberal one. They came out of that, I believe, because there was an election.

That is why this policy has to be taken to an election. I fear the speed with which this consultation on the fate of closed schools is occurring, because I fear that the government are trying to cross all the t’s so that the issues are wrapped up and the decisions are irreversible by the time they go to the next election. I think that is false. I think it is wrong. The only thing people have got in a democratic process, given the consultation was farcical, is the election. It is wrong to ensure that these decisions cannot be reversed.

I went to nearly every consultation on the school closures about a month ago. I talked to parents and I watched the consultants at work. I heard what people had to say, and in almost every case people wanted to make sure that whatever happened to their schools they were still available to be reopened under a more enlightened government

in more enlightened times when the value of small schools is recognised for students at risk and when really tackling climate change comes into its own. Those schools might be a bit different when they reopen; they might cater for the whole of the community, as the Rivett group has chosen. Many of the groups in the consultations on closures said they want those sites retained as community assets, because they believe they were. They have gone for decades of those schools' lives believing the schools belonged to them and were there to serve their kids and to build their communities. There is no doubt that local schools build communities.

Do you know, Mr Speaker, that 30 per cent of the ACT population changes every year? You come into this town—and I have done it; many people here probably have—from somewhere else, not knowing a soul, and how do you make contact? You do it through your local school. You get to know the kids, you might volunteer, you might go to P&C meetings. If you cannot do that you really do not lock into a community. That is why community schools are important. We know that most parents drop out of activism in a school once their kids go to high school. Why is that? It is because they are big; it is because it is harder. Fortunately, some parents do still engage, but an awful lot of parents do not find high schools as welcoming—partly because of the curriculum but also because there is not just one teacher to deal with your child, and the pastoral care is often not as well set up. Let us face it: the government has just admitted it in its appropriation bill.

One of the other reasons that the government used for closing schools was the condition reports. I have heard a lot of comments on those condition reports. I think they were definitely at the more harsh end of the scale. In some cases they may even have been incorrect. But there was no way for people to say that, to have input into those processes, and I would say that those condition reports actually overstate the cost of repairing the schools. And they assume that people want them repaired to state of the art. But people just want their schools; they are prepared to put up with some worn-out carpet sometimes; sometimes it is extreme and it needs replacing and that should be done, but if it is a question of the school or the carpet they will choose the school.

I remind people that Mount Neighbour primary school has the third-best condition rating and yet has the third-lowest total figure for critical, essential or important costs required to bring the site up to standard. But we were told last year that it was in a really bad state and that that was why it was being closed. The people of Rivett got together a petition because they have already been told their school will be sold. But apparently the condition report just indicates that there is a safety issue with the ceiling and roof on an external walkway. Rivett does have a major roof replacement expense listed, but for some reason this was not noted as a building safety issue and was tacked onto the end of the report. So people are sceptical even about these, which should be crucial and should be the ultimate evidence as to why a school is going to be too expensive to repair and therefore should close.

People lost faith in this process last year. I saw that when I went to the consultations on the future of the school closures. I believe the consultants acted in good faith and I am sure their report will in many cases reflect the community's wishes, with the hidden subtext being that they want the opportunity for those schools to reopen as educational institutions. So I believe that the government is still not facing up to the

community's anger and hurt on this matter and to the fact that people were betrayed—because they voted for a government that said it would not close schools.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (5.34): Just to reiterate the position that I put earlier—the government's position—in relation to Mrs Dunne's amendment, let me say that we will not be supporting it.

In his earlier comments, Mr Seselja quoted from comments from the previous education minister, which I understand were dated 12 or 14 August. I again draw to the attention of members the comments made by Ms Gallagher when she was asked a question by a former member of this place, Ms Dundas, on 26 August 2004—so a good two weeks after that. The question was in relation to school closures. Ms Gallagher said:

I think future legislative assemblies, governments and ministers will have to seriously look at the matter and have a conversation with the community ... The Education Act sets out a very firm and rigorous process for that, if it were to occur, and how it could occur ...

In accordance with the Education Act, I then undertook a six-month community consultation process, a process that involved more than 750 meetings. I visited more than 100 schools, having multiple discussions with a range of school communities around the way forward for education in the ACT.

I go back to the very well-expressed comments of the late Rosemary Richards in relation to the substantive policy issue. I quote again from her article:

Educators, keenly aware of the needs of schools, are concerned about how the ACT community will fund these essential resources needed for young people. We know that many private schools have large populations with excellent resources. To ensure a viable public school system, we must all work to ensure that government schools can provide the same quality uniformly across Canberra; this may mean making difficult decisions about some "sacred cows" in some parts of Canberra because the current plethora of small schools challenges the future equitable provision of the best resources for our children.

I congratulate the Government for finding the money to support the community and for taking this difficult but courageous road.

Rosemary Richards committed 30 years of her life to the ACT education system. She was a principal at a number of schools. She started her teaching career at Rivett primary school, I understand. She is someone who, whilst she was stricken with illness, had the courage to make this contribution, a very sensible contribution. She is someone for whom the AEU nationally has put forward an award and a prize for young teachers. She is someone who understood the issues that this education system faced and was prepared to come forward and make a serious contribution to the challenges that we face. This article and what she had to say were spot on.

Yes, it was incredibly difficult. Of course it was. And no-one on this side of the chamber took any joy from having to close schools. But it was essential to ensure the

long-term sustainability of our public education system; it was essential to respond to the educational needs of our system, the financial needs of our system, to ensure that resources were directed equitably and efficiently; and it was essential to respond to the changing demographics—and no-one in this debate has contested the demographics.

Dr Foskey talks about some people doing their own suburban census. Frankly, Dr Foskey, whilst I respect the work that those communities did, in the end the government will rely on the Australian Bureau of Statistics and the census—

Dr Foskey: Which were out of date.

MR BARR: The 2006 census—the data that was available and released by the Australian Bureau of Statistics and that I do not think anyone is contesting. I am very happy to table the age pyramid that looks at the changes in the demography of this city. Again I quote from the Australian Bureau of Statistics figures for the school age population in the ACT. The area with the largest decline in primary and secondary was the suburb of Kambah. Looking forward, and looking at those suburbs, the birth rates there are still lower than they had ever been when those suburbs were developing.

This city now has 340,000 people, yet we still have only just over 4,000 births a year. Back in 1977, when we were going through a massive growth phase and the population was just over 200,000, we had 4,000 births in a year. We have the lowest fertility rate in Australia. We have the fastest ageing population in Australia. No-one is contesting that.

Again, look at the census data from 2007. For year 11—this year—the cohort across all schools is 5,020. Kindergarten this year across all schools is 4,198. There were just over 4,000 births in the ACT this year. That is the cohort we are going to have going forward. So 5,000 students move out of the entire education system and just over 4,000 are coming in. Demographic change. We do not need—

Dr Foskey: It's a problem and it needs to be addressed.

MR DEPUTY SPEAKER: Order! Dr Foskey.

MR BARR: We do not need 190 schools across this city. We took some difficult decisions and looked forward—looked at the projections, looked at where the growth was. Gungahlin is where there are new schools and high demand. That is where we have more than 200 enrolments for preschool in individual schools. But in the older areas—in Causeway, for example, there were four. How can you run a preschool program with four students? You cannot. You cannot run it properly. You need a sufficient size. Kids need peers. They need friends. They need the opportunity to engage in the entire curriculum. You cannot offer that in schools that are micro, that are tiny.

Dr Foskey: It is not about that. It is not about that, Andrew.

MR BARR: This argument that, because for 17 years it was ignored, we should not look at it now—

Dr Foskey: It is the process.

MR DEPUTY SPEAKER: Order! Just a moment, Mr Barr. Dr Foskey, you are becoming unusually radical.

Dr Foskey: I am. I'm not radical, am I?

MR DEPUTY SPEAKER: Would you just be a little bit quieter. Carry on, Mr Barr.

MR BARR: Thank you, Mr Deputy Speaker. I note Dr Foskey's views on the process, but no-one is arguing; even Mrs Dunne has agreed that we needed to make a change. I think Dr Foskey is the only one who believes that a school can never close. I am not sure that I have heard her say on the record that sometimes schools might have to close.

Dr Foskey: I said it before. I guess you weren't listening.

MR BARR: Well, they do. I am pleased to hear that. So even Dr Foskey agrees. So across all parties in this place there is a view that sometimes schools have to close. We have a violent disagreement, clearly, over what the process should be. Fine. People put forward amendments to the Education Act. They were not accepted by the Assembly. We have the Education Act and it gives the process. It says six months of consultation. The minister must put forward a proposal; the community then debates it. That is the process. That is the legislative process and that is the process that I followed. I do not think that anyone would accuse me of not fronting up time after time to discuss why and to discuss in detail with individual school communities the issues that we were confronted with.

Mr Deputy Speaker, in your contribution you raised the issue of the Kambah schools. Again, I respond to that quite simply: the school age population in Kambah has reduced by nearly half in the last 10 years. From when those schools were established with student populations of nearly 700 they have gone to the situation they were in in 2006 with some that struggled to get to 150 enrolments. If you have got four government primary schools with a combined enrolment of about 600 to 700 students and a government high school with 300 in one area and another government high school two kilometres down the road with 350 students, something has to give.

The question is: how do you respond to that? This government has invested \$54 million in a new facility that will cater from preschool to year 10. Yes, we will be combining Village Creek primary school, Mount Neighbour primary school and Urambi primary school plus the former Kambah high into one school. We hope to address the fact that 60 per cent of students who lived in Kambah in the priority enrolment area for that high school went to another high school: they did not go to Kambah. We would like the students in Kambah to go to their local school. That would be terrific. We believe that, with a brand-new \$54 million school, we have a much greater chance of attracting those enrolments. That is why there is a \$54 million investment in Kambah.

MR SESELJA (Molonglo) (5.44): I will be supporting Mrs Dunne's amendment, quite simply because it is a plain statement of fact. The amendment "notes that the

Stanhope government misled the community about its school closure program prior to the 2004 election". I do not think I heard the minister actually say that that it is not true. I do not know whether he said that he was going to support the amendment or not, but—on the basis of not having said it, on the basis of not actually challenging the validity of the statement—I would have thought that he would have to support it. It is a statement of fact.

The minister had 10 minutes to respond to my challenge, to tell the Assembly what had changed from May 2005 to prior to the budget of 2006, when the decision was made to slash and burn in the government school sector in the ACT. Faced with the same demographic data as his predecessors, Mr Barr went ahead with the proposed 39 school closures and the eventual 23 school closures. He has not been able to come back to us and say what actually changed from when Ms Gallagher was minister and when Mr Corbell was minister to when Mr Barr was minister. The answer, of course, is nothing—other than the minister.

In his statements about these essential changes and the fact that the situation had been ignored for 17 years, Mr Barr was having a direct go at his predecessors—his fellow Labor ministers on the left—Mr Corbell and Ms Gallagher, who, according to Mr Barr, ignored this issue. They were faced with the same demographic challenges and the same statistics—showing a drift away, showing the smaller numbers coming through the school system. According to Mr Barr, they ignored this issue; that is essentially what Mr Barr is saying when he defends his position on this. He is having a go at his predecessors. He is saying that either they were deceptive, before the 2004 election, or they simply could not see it as he did.

We see the embarrassment of this minister when he gets up. There is his defence to Ms Gallagher's comments on the public record definitively ruling out school closures in the next term and going on to say that there will not be school closures during her political life—that that is somehow redeemed by a statement in the Assembly that says, "Well, future Assemblies may well have to close some schools." She categorically rules out any school closures in the next term; she claims that, if there are going to be school closure sin the future, it is not going to be during her time in the Assembly. According to Mr Barr, that is okay because she said, "Well, you know, future Assemblies may close schools." That is an argument completely lacking in any logic from the minister. When he makes some of these arguments, you can see in his face that he does not believe them himself. He does not believe the argument that he is actually making.

In the excitement of my previous speech, I did not hear the bell and I did not see the two-minute warning. There was one part of the article of 12 August 2004 that I neglected to mention. It was, once again, from Ms Gallagher's spokesman. He was busy. The article said:

If the Government was to close a school it would only do so with the support of the community.

The statement was that not only were there not going to be any school closures in the next term but they would not happen in Ms Gallagher's political lifetime and, if they were to go down that path, would only do so with support. Presumably when this

government decided to close their schools it took a poll in the communities, got over 50 per cent support and then decided to go ahead. Clearly, it did not. It did not. This is one more example—one more clear example—of how this government misled the community at the 2004 election in relation to their school closure plans.

Mrs Dunne's amendment is perfectly correct. It is a statement of fact. The minister could not even refute it in any way in his second 10 minutes. He was not able to refute that the people were misled. They clearly were misled. When Mr Barr talked about the processes in the Education Act, he failed to talk about the moral responsibility. A government that planned such significant changes, such massive changes, should not only have had the decency not to deny their plans prior to the election, but have had the decency to go to the people and say, "These are our plans over the next four years; this is why we think it is important; therefore support us on this basis." They did not have the courage to do that. Instead, they clearly misled the community.

This amendment should be supported. I have not heard one member get up and say why this amendment is in any way wrong. That is why it should be supported.

MRS DUNNE (Ginninderra) (5.50): In closing the debate, let me say that the debate today is important because it is about an attempt to give life to the schools that are closing—the schools that Mr Barr proposes to close on 21 December this year, in a fortnight's time. We are here today because the Liberal opposition thinks that Mr Barr should not close Cook primary and preschool, Village Creek primary school, Kambah high school and Page and Macarthur preschools, because there is no good economic reason to do so.

As we have said before, the numbers do not stack up. We are in a much better financial situation than Mr Stanhope would have had us believe last year. That is on the back of a range of factors—not, as Mr Barr jokingly seemed to suggest this morning, because we have turned the budget surplus around by \$100 million because we have managed to close some schools. He did say that all the changes they made in the last budget—the school closures in the 2006-07 budget—were going to reap the government about \$2 million. But suddenly, as a result of reaping that \$2 million saving, we have turned around the budget by \$100 million. I would like to be able to get those investment rates elsewhere.

When we look at what he has actually said here today, he has admitted failure. He said this morning that what we were doing this for was—that we have made all this money as a result of it. There were drops in enrolments; there are low fertility rates. No-one disputes the fact that the age profile of people five to 19 in the ACT has changed.

Mr Seselja: Ms Gallagher knew that.

MRS DUNNE: Ms Gallagher knew that. Dr Foskey knows that. We all know that. The question is: what is this government doing to address this? The government is giving up: in the same breath as Mr Barr said that there was a drop in enrolments and that that was brought about by low fertility rates, he said—it was the only reason he gave—that there was a drift to the non-government schools. Last year he said that one of the reasons we were going to have a renewal of government schools was to address

that drift. Have we seen the change? Have we seen an improvement? Have we seen a turning of the tide? We have not.

I suspect that what the minister wants to do is to see more people go to the non-government school system, because in the short term it saves him money. But in the long term it will cost this community dearly. If Cook primary school and Village Creek primary school close, some of those children will go to the non-government school system and will probably never return into the government school system—because of the folly of this minister and the government that he belongs to. That is what happened when Flynn primary school closed last year; many of those children were lost forever from the government school system. This is happening over and over again.

Dr Foskey asked what public schools were for. Mr Barr still has not satisfactorily answered that. They are not there for providing a service to the community in the community where the people live. But he did recognise something, and it needs to be restated: out of his own mouth this minister said that one of the schools that he proposes to close in a fortnight's time should be a model for the rest of the ACT system. Then he turned around and closed it.

Mr Barr: Yes, and it will be, in the identical building at Macquarie, 800 metres down the road.

MR DEPUTY SPEAKER: Order, Mr Barr!

MRS DUNNE: He is proposing to close it, irrespective of the impact that that will have on the community in which it is situated—a community that has vibrant businesses that depend upon the school, a community that is centred around the school, a community that is structured so that when people walk they pass the school. This is how Canberra was planned. The minister may not like it, and some of the newer suburbs may not be like this, but places like Cook and the area around Village Creek primary school are places where people naturally walk because that is the way the suburbs were structured. That is the way Flynn was structured. That is the way many of the other places were structured. That is why we had schools in the middle of communities—so that everyone could get to them.

Things may have changed but they have not changed so substantially that viable schools like Cook need to close at this stage. They had good enrolments; they had prospects for continuing high enrolments. In his own words, Cook primary school is a great school: it has a P-6 model with excellent IT, classroom and playground facilities, and the rest of the ACT system should be modelled on it. But he still wants to close it.

For the most part, we cannot tell what the condition of most of these schools is. There is some information out there but, when I tried to obtain this information from the ACT government, I got a letter from their FOI section saying, “Well, yes, you can have it, Mrs Dunne, but there is no public interest in this information becoming available, so we will charge you \$1,200 for the process.”

This is a government that needs to be held to account. This is a government that needs to admit that it got it wrong last year when it decided to close Cook primary school

and the schools in Kambah. They must today change their minds and support the people of Kambah, Cook, Page and Macarthur—the people who voted for them despite the fact that they were lied to by this government.

Question put:

That **Mrs Dunne's** amendment to **Mr Barr's** proposed amendment be agreed to.

The Assembly voted—

Ayes 5

Noes 6

Mrs Dunne
Dr Foskey
Mr Mulcahy

Mr Pratt
Mr Seselja

Mr Barr
Mr Berry
Mr Corbell

Ms Gallagher
Mr Gentleman
Ms MacDonald

Question so resolved in the negative.

Question put:

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

The Assembly voted—

Ayes 6

Noes 5

Mr Barr
Mr Berry
Mr Corbell

Ms Gallagher
Mr Gentleman
Ms MacDonald

Mrs Dunne
Dr Foskey
Mr Mulcahy

Mr Pratt
Mr Seselja

Question so resolved in the affirmative.

Motion, as amended, agreed to.

At 6.02 pm, in accordance with standing order 34, the motion for the adjournment of the Assembly was put.

Adjournment Family and Community Day

MR MULCAHY (Molonglo) (6.02): I take the opportunity in the adjournment debate today to talk about the government's costly concession to the unions, Family and Community Day. I want to touch on several specific items of concern but first I put on the record what a disastrous day it was for many within the ACT. Businesses closed and those that stayed open did not make as much money as they would usually make. Many casual workers missed out on a day's wages, other businesses were hurt by people taking a four-day weekend, and what had traditionally been an enjoyable day in the workplace, with lunches, sweeps and so on, was lost, as I predicted when this was first mooted.

Holding the day as a public holiday was a short-sighted decision made by the territory's Labor government and Mr Barr to appease their union mates on the floor of

a Labor Party conference. Despite what the minister would have us believe, the day was strongly opposed by the Canberra business community. It is worth noting what Mr Barr said in this place on 25 September:

This day—

Melbourne Cup Day—

following the consultation period, was by far the most popular choice for an additional day. I believe in the order of three-quarters of all respondents indicated this as their preferred day. It was an extensive consultation process with all of the key stakeholder groups, including the Chamber of Commerce and Industry, for example, amongst others.

There is a very clear implication from the minister of overwhelming support from different sections of the Canberra community. However, information that I have received under the Freedom of Information Act shows that there was strong opposition from most sections of the Canberra business community. The Housing Industry Association, the Chamber of Commerce and Industry, the Canberra Business Council, the Australian Hotels Association and Prime Television all strongly opposed the proposal to create an extra public holiday.

I think it was mischievous on the part of the minister, in reporting to this place, as he did on 25 September, clearly to create an impression that he had talked to business groups. The citing of one group in particular in support of his claim that three-quarters of respondents indicated it was their preferred day was, I suggest, designed to create an impression of something other than what happened.

The consultation process was not clear-cut and, if anything, showed there was considerable opposition to the plan. The decision to create a new public holiday should be seen for what it was—a pandering to the union movement that is insignificant in our community bar in the Labor Party. The opposition of business groups was completely ignored in favour of support from UnionsACT.

It seems there is a perception among some opposite that these groups represent the big end of town and not ordinary people. In fact, this is not correct. The industry groups that I have mentioned represent small businesses, retailers, hoteliers, restaurant owners and so on. These people and, significantly, their employees, suffered from the government's decision. What should have been a popular and profitable day was turned into a disaster.

I must say, though, that I am pleased the government will abolish Family and Community Day next year. However, I was rather worried that the minister flagged on radio yesterday that the possibility of holding union picnic day on Melbourne Cup Day was now emerging as one of his new ideas. Such a move, applying as it will to just a small percentage of the community, will not be as disastrous as an all-encompassing public holiday, but it does have the potential to hurt businesses, particularly in the hospitality and retail sectors. If we are to have a union picnic day, the date should be set after due consideration has been given to the views of business groups.

It is quite clear that the minister did not think through the implications of introducing this holiday. It was proclaimed by way of a notifiable instrument, which made it impossible to bring it before this chamber and rescind it. I thought it was also conceived with a measure of trickery in implying that groups like the ACT chamber of commerce were part of the support group. In fact, it has now been revealed, after my FOI request, that all of those business groups that I mentioned were very strongly opposed to it. Indeed, many employees missed out on what was a very great part of our Australian culture—the sharing of activities in the office on cup day. Having an office lunch and an office sweep were ruined by Mr Barr's new approach.

Annual reports process

MS MacDONALD (Brindabella) (6.08): I want to talk about the annual reports process that occurred last week and an incident relating to the issuing of a press release last week by Mrs Burke in relation to the health and disability committee's consideration of annual reports. Last week, Mrs Burke put out a press release in which the following statement was made:

Deputy Leader of the Opposition and Shadow Minister for Health, Jacqui Burke, is questioning just how the Stanhope Government can justify one hour of scrutiny during the Annual Reports 2006-2007 Hearings of the most important portfolio in the ACT Government, health, which carries a budget in the order of \$800 million ...

"Health Minister Katy Gallagher was only called to appear for one hour to be questioned on a report of over 300 pages which works out to be one minute's scrutiny for every \$13.3 million spent in the health portfolio.

"The Opposition was out-voted on the Standing Committee on Health, dominated by Labor members, when it came to setting the timetable for the Health Minister's appearance. An afternoon's examination would have been reasonable for a budget of this size.

Mrs Burke then went on to make a few further comments, suggesting that Labor members were protecting the health minister, and there was the usual statement about the health minister not doing her job properly.

I want to make a few corrections in that regard, because Mrs Burke has once again got it wrong. There is no surprise there. I have checked, and on 7 February this year the committee decided on a date for the annual report hearings and that Minister Hargreaves and Minister Gallagher would be booked in for the whole day, which would have given them half a day each.

On 24 October, which was the last meeting that Ms Porter attended, the committee agreed to the timing, which included one hour for Health. There is no record of a vote—and there was no vote. So when Mrs Burke says she was out-voted, that is absolutely incorrect. She was not out-voted at all; there was no vote taken.

Mrs Burke: You'd made your minds up about how long things were going to be. Why did we have an hour for multicultural?

MR SPEAKER: Order, Mrs Burke!

Mrs Burke: Sorry, Mr Speaker; it's been a trying day.

MS MacDONALD: Mrs Burke claims that she was out-voted, but she made no fuss about this until the day of the hearing.

Mrs Burke: I did not; that is not true. Withdraw.

MR SPEAKER: Mrs Burke, you will have the opportunity to speak later in the adjournment debate.

Mrs Burke: I'm going to say some good things, not bad things.

MR SPEAKER: You can't say anything unless you've got the call.

MS MacDONALD: Mrs Burke made no fuss about it until the day of the hearing, which was Wednesday, 28 November. Last year, the committee also devoted a day to discussing Health. It was always the intention, and had always been discussed within the committee, that we would be calling on areas other than Health at this year's annual reports hearings, because Disability was not called. That was the decision taken by the committee.

Mr Seselja: It's a lot of money—an important portfolio.

MS MacDONALD: I have said all along that we would not focus on Health as much, but we did have an hour which was dedicated to Health. We had dedicated an entire day to looking at the Health budget last year, so we did not need to spend as much time on it this year.

I am absolutely disappointed that Mrs Burke has chosen to put out a media release and has not got the facts correct. It would be good if she would go and check her facts. Just because Mrs Burke says something is the case in a media release does not actually make it the case. It is important that those in this place know that Mrs Burke has once again got it wrong. If she had a conscience, she would go back and check the minutes and she would discover that she got it wrong.

Education—system

DR FOSKEY (Molonglo) (6.12): Tonight is a very special night for me and my family. I want to pay tribute to the education system in this town. My youngest child, my younger daughter, is tonight attending her school formal. She is a Narrabundah college student and they are having their formal at the National Museum.

Any parent who has come to the end of this education process knows that it is a mark as much for the parent as it is for the child. My daughter has turned 18, which makes her of a legal age, but the other thing is that I feel as though I have done my bit. I have got her through school. While I will always support her, the rest is, to a very large extent, up to her. I have taken her to the water and now it is up to her to drink.

I want to speak about this especially because, as a sole parent for most of the time, I believe I have been in partnership with the education system in this town. I was lucky—I did not believe so at the time—because when my daughter was aged two or three I was eligible for a house through the Association for Post-Secondary Student Accommodation. It is defunct now, because of the changes to community housing organisations. That is another story, and a sad one. I was allotted a house in Yarralumla, where I did not want to go. Nonetheless that was it; that was the house that was offered, and off we went.

It was fortunate that it was within walking distance of a preschool. My daughter attended the preschool, the local primary school and then Deakin high school. All of that was within walking distance until she finished primary school. Every morning we walked to school together, and that was a very important part of our day.

At that time I was studying for my PhD. That went on for years and years—for much longer than it should have. I am sure it made me an extremely boring person as far as being a parent was concerned, but I always gave time to the school. I was president of the P&C for a while, I taught drama there and I went in and made pizzas with the kids. I had the time to do that, and that is partly why I chose that way of living my life.

I watched my child blossom through that process, especially in the Narrabundah college environment, because I think the college system is a very important part of growing up that we offer our children. The range of subjects offered, the fact that they need to be mature and organised to do well, has paid off. My daughter will come out of it with a reasonable result. Along the way she has had help from myriad teachers, principals, canteen ladies and the people in the offices of all these schools. It has been quite special. It is part of the reason why I stand up and fight so hard for neighbourhood schools, because they are especially for people like me. I had no-one else to fall back on; I did not have an extended family in this town. I had friends, but friendships only go so far, I find, when it comes to issues with children. So it was the schools that filled that gap, and today I want to thank the ACT education department and, before that, the Schools Authority, because I had other children who went to school here. I came to Canberra for its education system. I could have gone to many places but I came to Canberra.

That is why I stand up and fight for education so much. It made the difference for me and my brothers. We grew up in a certain era when people of our income and social status could get scholarships and go to university. It has also made the difference for my daughter.

Valedictory

MRS BURKE (Molonglo) (6.17): I had intended to make some remarks to finish my year, because I will not be here tomorrow evening, and I have explained why. But I have to say that, once again, Ms MacDonald gets it wrong. How sad that she comes into this place, totally forgetting—

MR SPEAKER: Nice, remember.

MRS BURKE: Sorry?

MR SPEAKER: You said you were going to be nice.

MRS BURKE: I am trying to be nice. I was going to be nice; you are right. Unfortunately, Ms MacDonald has to go and ruin it all. She got it wrong. In fact, it was not the case that we were not going to discuss Health a lot this year because we had discussed it last year. We did Housing last year. So she has forgotten that one. She emphasised that the committee would do Housing. Notwithstanding that, if Ms Macdonald comes to meetings half-awake or half-asleep—whichever it is—obviously she will forget some of these things. I was outnumbered. There was a debate about how long ministers would appear for. I expressed a wish for more time to be spent on Health and Housing but Disability was to be the focus. Ms MacDonald and Ms Porter had already organised that in their minds. We on this side of the house know just how much input we are allowed to have into some of these committees, because they are Labor controlled. So let us leave that issue there.

I do wish Ms MacDonald all the best for Hanukkah. I know that she does not celebrate Christmas per se. As I said, unfortunately, I will not be here tomorrow evening, as I will be in Sydney. My nephew has just come off 10 months of a rehab program and it has actually turned his life completely around. He is off all medication. The program that he was on is out of Sydney. It is called One80 Teen Challenge and is supported by one of the biggest Christian churches in Australia today, Hillsong. They do these courses for young people. It costs \$46,000 a year to put students through, but it is free for the students who attend. There is no charge to them or to parents. Family and friends are not asked to make a contribution—only if they can afford it. I think that is a really good example of what a church stands for—its pastoral care in the community. My nephew has certainly turned his life around in a very positive way. Tomorrow I will go up to Sydney to help him and his dad celebrate Champions Day.

I would like to extend my very sincere and best wishes to you all. I have to put you at the top of the list, Mr Speaker. You have really been very long suffering with me. I know I get a little vocal and I know I can be challenging, but it is all meant in a very positive way at the end of the day. I do want to wish my colleagues well at the end of this sitting year and wish them a blessed, peaceful and carefree Christmas, as I do you, Mr Speaker. I also extend my very best wishes to my Labor colleagues across the chamber. In this place we put the gloves on; hopefully outside it can be a little different. At the end of the day, we are all human beings.

I also extend my best wishes to the crossbench. I hope Dr Foskey's daughter has an enjoyable evening tonight. Thank you to the long-suffering attendants. Nothing is too much trouble for them. Corporate services: where would we be without your expert advice? I thank the people in the library, the secretariat and committee offices. I thank the gardeners and the cleaners. Although the gardeners drive me mad in the courtyard, I still thank them very much for the service they provide. I thank any others that I have forgotten. Mr Speaker, I wish you and the house well. You are going into a year when you will be retiring, but hopefully not from life. So we will see you a little more.

MR SPEAKER: I hope not!

MRS BURKE: No, absolutely not; I meant from being busy, not from life. I meant from an active, working life. You will be working in another area, no doubt, and I wish you well as you go into that year. It is a big thing but hopefully you can wind down and start to take up something new. So all the best to you, sir, and all the best to anybody that I may have forgotten. Have a blessed, peaceful, restful Christmas.

General Sir John Monash Awards

MR GENTLEMAN (Brindabella) (6.21): We should all be proud that here in the ACT we have the opportunity to recognise the academic achievements of others. Often, award ceremonies do not get the recognition they deserve, and that is why I want to discuss the General Sir John Monash Awards and the importance of these prestigious accolades.

The General Sir John Monash Awards are hosted by the General Sir John Monash Foundation. The foundation is a charitable organisation formed in Australia as a public company limited by guarantee. Up to eight awards will be awarded annually to outstanding Australians graduating from university, which enables them to study abroad at the world's best universities in an appropriate field of study. The recipients of the Monash awards are expected to become leaders not only in their fields but also in the community. This will, in turn, make a significant contribution to Australian society.

The General Sir John Monash Awards recognise academic excellence and the leadership potential that the recipient displays. Applicants are asked to demonstrate through a well-defined research project how their proposed study or research will advance their field of study and benefit themselves and the wider Australian society. The lucky recipient of an award will receive annually up to \$50,000 that can be combined with other scholarships, awards and grants at the discretion of the foundation. Another incentive to strive for academic achievement is that the award is exempt from Australian income tax.

Continuing recognition of excellent academic achievement and future leadership potential was displayed when, on 28 November this year, eight Australians were presented with this year's General Sir John Monash Awards. At a special ceremony at Government House in Canberra, His Excellency Major General Michael Jeffery, Patron-in-Chief of the General Sir John Monash Foundation, presented the awards to this year's hard-working, determined recipients.

I will now list the award winners. Dr Alice Chang from Queensland studies in the area of medicine, primarily focusing on public health. Dr Chang was awarded the Young Australian of the Year in 2004 and 2006. She has also started her own charity, called Young Visionaries, a non-profit organisation that empowers communities worldwide to improve eye health and eliminate preventable blindness. She wants to become an ophthalmologist, study overseas and treat people with eye injuries.

Johnathon Ehsani from Victoria studies in the area of public health. Mr Ehsani will use his Monash award to study for a doctorate of philosophy at Michigan University in the USA. He hopes to develop educational programs to enable adolescents to avoid risks to their health.

Hugh Evans from Victoria studies in the area of international relations, focusing on foreign affairs. This 2004 Young Australian of the Year also produced the “Make Poverty History” Concert in 2006, Australia’s largest-ever youth-run charity event held in Australia. In the future, Mr Evans hopes to contribute to the Australian public service by helping to shape Australia’s foreign policy direction.

David Hume from New South Wales studies in the area of law. Mr Hume is currently the Associate to the Chief Justice of the High Court of Australia. David will use his Monash award to study for a doctorate of philosophy at Oxford University. David hopes to develop a charter of rights for Australia in the future.

Brendan Lim from South Australia also studies in the area of law. Mr Lim is currently working as a judge’s associate in the Federal Court in Adelaide. Brendan’s ambition is to be a legal academic and to revive the contribution of the common law to our constitutional government, particularly in emerging democracies.

Colonel Roger Noble from the Australian Capital Territory studies in the area of international relations and the military. Roger will use his award to focus on developing a first-hand understanding of the United States, its key institutions and contemporary thinking and culture. He was awarded the Distinguished Service Cross for command and leadership in action in Iraq.

Frances Voon from New South Wales studies in the area of refugees. Frances intends to undertake pioneering research that will advance the development of effective Australian responses to refugee situations. Frances hopes her work will help raise Australia’s standing as a leader in research in an area of growing international concern.

As you can see, Mr Speaker, the recipients are well deserving of these prestigious awards, and I urge the Assembly to recognise the contribution that award ceremonies such as this make to our society. These organisations encourage a high level of academic achievement, and the Assembly should lead the community in praising this commendable foundation.

Single parent families
Annual reports process
Land development

MR SESELJA (Molonglo) (6.26): Before I get onto the subject matter that I want to speak about, I will respond to a couple of the previous contributions. I say to Dr Foskey that I think it is a great story and I pay tribute to her as a single mother raising her two kids. We sometimes forget what a challenge it is to raise a child. It is a challenge for two people to raise a child but for one person to have to do that is a significant challenge. I pay tribute to single mothers, including Dr Foskey, although I have to say I might not share the excitement when my daughter attends her formal. I am not particularly looking forward to that day but it is many, many years away.

In relation to what Ms MacDonald had to say, I respond by saying that allocating one hour for Health during the annual reports hearings is a bit of a joke. We are talking about an \$800 million budget. For the Assembly, through its annual reports—

Ms MacDonald: She didn't vote against it.

MR SESELJA: I am sure that in this case Mrs Burke would have known how the numbers would go, which is perhaps why she did not call for a vote. The reality is that one hour is not enough and we should be consistently, across the board, allocating more time for these kinds of hearings. When \$800 million of taxpayers' money is being spent in what is perhaps the most important public policy area, I think we should have a little more than one hour in which to examine the minister on the performance of her agency over the year.

I want to speak briefly about an issue. I was drawn to a recent article in the *Canberra Times* headlined "Land supply warning as buyers rush to register". It arose out of the ballot at Franklin, where 700 people registered for a ballot for 51 blocks of land. It really demonstrates the pointy end of this government's complete failure in land release policy over a number of years. And these are not just numbers; these are people who have suffered significantly as a result of these policy failures. I was particularly interested in the Chief Minister's response when he said: "The exceptional demand is as much about the quality of the blocks as about pent-up demand." I think that statement, which, when paraphrased, essentially means that some of these people are just too fussy, is a slap in the face to first home buyers and potential first home buyers in the territory.

We do have a land affordability crisis in particular, which leads to a housing affordability crisis. The land affordability crisis has been significantly contributed to by the policies of this government. There is strong demand, but in light of that strong demand, that we have known about for some time, this government should have responded much more quickly than it has. We should see more competition in the market and we should see a land bank that is able to respond quickly, rather than having these massive gaps between when new land releases are announced and first home buyers are actually given the opportunity to purchase.

Mr Howarth was quoted in the article as saying, in relation to the blocks referred to in Dunlop, that the reason they were still sitting in the market was because they were overpriced by \$40,000. I do not think that there are hundreds of young potential first home buyers in Canberra who are really that fussy. There is a good reason why they have been forced out of the market. Many of them simply cannot afford those blocks. Many of them are very small blocks on which it would be difficult to build a decent family home. Regardless of that, this government's policies, its squeeze on land supply and its stifling of competition, are hurting first home buyers. I think the Chief Minister's comments, which essentially amounted to saying, "They're simply too fussy," were a real slap in the face to first home buyers who are suffering, and who do want to get into some basic accommodation of their own in order to enjoy the great Australian dream. As a result of this government's policies, that has become harder and harder for them to achieve. I think the Chief Minister's comments are very unfortunate and a real slap in the face to those people.

Question resolved in the affirmative.

The Assembly adjourned at 6.31 pm.