



Debates

WEEKLY HANSARD
SEVENTH ASSEMBLY

Legislative Assembly for the ACT

22 FEBRUARY 2012

www.hansard.act.gov.au

Wednesday, 22 February 2012

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Wednesday, 22 February 2012

MR SPEAKER (Mr Rattenbury) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Financial Management (Cost of Living) Amendment Bill 2012

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

Title read by Clerk.

MR SMYTH (Brindabella) (10.01): I move:

That this bill be agreed to in principle.

The ACT since 2001 has seen growth in total taxation by 68 per cent. It has seen total taxation per capita grow by 93 per cent. We have seen property rates and charges grow by 75 per cent and up to 157 per cent in some areas. We have seen rents increase by approximately 68 per cent. Water prices have increased by 200 per cent, electricity prices have increased by 75 per cent and parking fees for all-day places in Civic have increased by 57 per cent. People in Canberra are suffering under cost of living rises under the Gallagher-Barr Labor government.

The Canberra Liberals have had a longstanding concern about the way in which these cost of living charge increases affect Canberra families and affect their lifestyle. And we see it every year in the annual budget where fees and charges go up.

The problem for any ordinary person looking at the budget is that the way in which the ACT budget is currently presented does not provide any insight into the consequences of the many decisions it contains for Canberra families. At a time when the budget has blown out from a projected deficit of \$36 million to more than \$180 million, it is Canberra families in the main that will pay for that blow-out, and that, of course, affects their cost of living.

So it is a time of increasing concern about cost of living pressures for the community, and the Canberra Liberals believe that it is important to provide the community with an analysis of how each budget will affect their cost of living. Therefore we propose this straightforward amendment to the Financial Management Act that will ensure that in the act there is a statement concerning the cost of living impacts from the budget.

First, let me make some comments about the amendment. The objective is to provide an indication to ACT residents about how the budget will affect their cost of living in the year ahead. That is not an unreasonable thing for a budget statement to do. Clearly, it will not be specific for each resident but it will attempt to provide a per capita analysis of the cost of living—to the extent that this is feasible.

It would deal with increases in rates and similar taxes which have a direct effect on the cost of living for everyone, and with those taxes where there is an indirect effect—

as with payroll tax, for example, where any increases would flow on through the cost structure of businesses into prices paid by consumers. Indeed, it might look at things like change of use charge or lease variation charge, where an enormous big tax is put on the cost of living. At a time when the ability to purchase a home is already tough in the ACT, we get a great big tax. But there is no analysis in the budget documents that says how this will affect those that wish to purchase a home or a unit.

We will require a statement to be presented to the Assembly. Whilst we have no prescription about the form of this statement, and we will leave it to the government of the day to determine what shall be included in the analysis and how it shall be structured, a statement will be required at the time of the annual budget so that people do understand what it is that they are facing in the coming year.

Under this amendment such a statement is only required at the time of the annual budget—that is, when the first appropriation bill is presented for a financial year, as required by section 10 of the Financial Management Act. I acknowledge that the form and content of this statement will probably evolve as we learn what can be provided in such a statement and what may not be necessary to be included.

Of necessity, therefore, this analysis will be a living document as we improve our understanding of what it could encompass. But with an insight into the basis on which proposals are formulated, including the assumptions which underlie different proposals, and as with other regular reports from the government, this statement will be drafted to suit particular circumstances in that year.

But have no doubt, Mr Speaker, that the intent of this is that any taxpayer, any citizen living in the territory, may look at this statement as it is presented with the budget to understand what the government forecast will be the impact of their budget on those citizens in that year.

I note that there have been comments made on other occasions in this place about a cost of living statement. Indeed, in a debate on 22 June last year, the leader of the Greens, Ms Hunter, spoke in less than glowing terms about a cost of living statement. Ms Hunter said:

Our—

that is, the Greens—

feeling is that it—

a cost of living statement—

would not offer a lot to members of the community in actually evaluating budget proposals.

Ms Hunter went on to say:

We really think that does come from a poverty income analysis.

Ms Hunter's comments raise a number of questions in my mind. First, is she saying that some form of analysis of the impact of the annual budget would be inappropriate? I hope that is not what she is saying. That seems to be what she is saying. Second, is she saying that it is, or should be, possible to make this type of analysis? Again, I think that is what she is saying. So this is a good thing. Further, is she saying that only one segment of our community—that is, those who are in poverty—will benefit from such an analysis? Again, I think that is what she is saying, and that is a good thing. But if they benefit then why can't all?

From those quotes it can be seen that Ms Hunter seems to be broadly agreeing with the notion of such a statement, albeit with a focus on a specific group in our community. I am surprised to see that she is limiting any analysis of the cost of living effects of the annual budget to those who are in poverty. That is a very important group and they should of course be very much aware of what the budget will do to them, but I think all people need to know, particularly if we take a standard measure of those living below the poverty line or those living below average weekly earnings. There are many who are, for instance, asset rich but cash poor, particularly self-funded superannuants who have found the travails of the market somewhat difficult, or those who live just above the poverty line and miss out on government concessions. So I think there is value in doing the analysis on all groups, and, as Ms Hunter seems to be broadly agreeing with the notion of such a statement, it is perhaps time that we do it.

Her statement provides the unanswered question of how people are defined as being in poverty. Moreover, why should only those who are in poverty be the recipients of such an analysis? As I have said, we are well aware that there are many people in our community who may not be in what is defined as poverty but who nevertheless are struggling to make ends meet.

The intention of my amendment to the Financial Management Act is to ensure that all people in our community, irrespective of their situation, will benefit from a cost of living analysis. We are all part of our community. There is no reason why we all cannot benefit from information prepared by our government. Indeed, I find it strange that the Greens are so selective about who should benefit from information available from our government.

In the same debate, the now Chief Minister and former Treasurer, Ms Gallagher, spoke about all sorts of things. She actually did not comment on the merits of having a cost of living statement. She did acknowledge that the government do consider the effects of budgetary proposals on the community. She said:

... every time we—

the government—

consider a new budget initiative, we weigh that up and consider that in the context of what people can afford ...

Clearly, this work is being done. If you apply their maxim of “squeeze them till they bleed but not until they die”, it is so neatly rephrased there without the rhetoric in it, where Ms Gallagher says:

... we weigh that up and consider that in the context of what people can afford ...

It does not seem to be what is fair or what is appropriate but simply what people can afford. This statement is very interesting because Ms Gallagher could be saying: “What can people afford? How much more can we squeeze out of them?” It really is shades of former Treasurer Quinlan: “Squeeze them till they bleed but not until they die.”

My question to Ms Gallagher is: if your government considers the potential impact of measures on the community then why can't the community have some idea of what that analysis is as well? This approach, through a cost of living statement, could enhance debate about the budget. In an era, sometime in the future, when there is appropriate openness, transparency and accountability in the ACT, we may achieve this state.

Cost of living pressures have been an important topic for some years, particularly following the uncertainty created by the global economic and financial crisis in 2008-09 and with the ongoing legacy of that period continuing as the countries of Europe struggle to resolve their sovereign debt issues. People in Australia have become increasingly cautious about financial affairs, increasingly conservative about taking on debt and increasingly conservative about boosting savings. And all of this is taking place at a time when there are significant pressures on household budgets from increases in the costs of a wide range of goods and services.

Do we want to know the good news? Apparently Ms Gallagher has finally discovered that there are people with financial concerns in our community. Apparently it took a meeting with community sector workers late in 2011 to make Ms Gallagher aware of people with financial concerns. The worry for the people of Canberra now, however, is to see a response from the Chief Minister.

I do not have time to deal in full with Ms Gallagher's response to the concerns that she discovered recently, but what I can say is that, as far as we can understand her response, all of us should be most concerned. Her plan is to allow people who are experiencing financial pressures to access cheaper loans. What a marvellous strategy from the Labor government! If somebody is under financial pressure, what do you do if you are Ms Gallagher? You offer, and presumably encourage, people who are not able to afford more debt to take on more debt. What nonsense.

She wants the ACT government to go into the business of what appear to be “payday loans”. She wants people who may be working hard to repay their mortgages or other loans to increase their level of debt. It is not very smart strategy for people who are struggling financially to be encouraged to take on even more debt, even if it is at a concessional rate. Of course, it comes on top of that other famous statement from the

Chief Minister that perhaps poor people can just turn off their Foxtel. It is an indication of how out of touch this government is.

Of course, there is the question of how Ms Gallagher will fund these cheaper loans. If she is taking a leaf out of the federal Treasurer's book on how to bash the profitable banks, perhaps Ms Gallagher is proposing that when the ACT government releases tenders for banking business the successful bank or banks will be required to offer a facility involving cheaper loans. This is just nonsense. This is a \$4 billion budget. It is about time that we looked at the \$4 billion budget that the government has and that the government actually puts in place a mechanism to allow people to accurately know what is the predicted effect of the budget on their lifestyles and on the services that they rely upon.

I started with the litany of increases in taxation since the government came to office. We have seen the highest growth in taxation per capita in the country, equal only to WA. We have now got the most expensive water in the country, a 75 per cent increase in electricity prices, the highest cost for childcare in the nation. When we did this, it was \$60 more than the next jurisdiction; it is now \$75. But at the same time it does come at the expense of other things in the system. We have some of the worst waiting times for elective surgery, the lowest GP numbers, the worst bulk-billing rate, and we have closed schools. There are so many other things that this government have done because they cannot control their spending. It is important that when we spend taxpayers' money we have respect for the taxpayer and that we ensure that people are well versed in what it is that the government are doing.

I remind this place that this Labor government in the ACT budgeted for eight deficits out of 10 budgets since it was elected in October 2001—eight deficits out of 10 since it was elected. I know the former Chief Minister never admitted that fact but there is no denying the reality of what actually happened. The provision of a cost of living statement with each budget might cause the government of the day to look closely at their fiscal policy decisions if budget deficits are anticipated.

It is important for governments to manage their fiscal policy soundly. The recent blow-out in deficit from \$36 million to more than \$180 million simply shows that this government cannot manage their fiscal policy soundly.

This means that requests for appropriations in addition to the annual budget need to be considered very carefully. I note that we have a second approp tomorrow, to which we look forward with interest to see what it is that the government wants more money for. We will be scrutinising that against such aspects as the likely effect of the proposals on the cost of living of Canberrans yet again.

The proposition from the Canberra Liberals for a cost of living statement to accompany the annual budget will enable the people of the ACT to have a much better understanding of what is in the annual budget, how it affects them directly and of how any taxing measures in the budget will affect their cost of living in the year ahead. I commend my bill to the parliament.

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

Road Transport (General) (Infringement Notices) Amendment Bill 2012

Ms Bresnan, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MS BRESNAN (Brindabella) (10.16): I move:

That this bill be agreed to in principle.

I present to the Assembly the Road Transport (General) (Infringement Notices) Amendment Bill 2012 and explanatory statement. This is a bill about improving social justice outcomes in the ACT. It is a bill to ensure that the ACT's system of traffic infringement administration takes account of the circumstances of disadvantaged and vulnerable people. It recognises the potentially devastating impact that a traffic fine—and licence suspension due to a failure to pay a fine—can have on people's lives.

The bill makes amendments to road transport legislation that will prevent Canberra's most vulnerable individuals and families from being subjected to harsh and unjust outcomes through their engagement with the ACT's system of traffic fine administration. In addition, the changes proposed in the bill are expected to reduce the number of people who drive while their licence is suspended and increase the number of people who engage with the fine system. Ultimately this will increase the amount of owed fines that are recovered.

The current system of traffic infringement administration is inflexible about the circumstances of disadvantaged and vulnerable people in the ACT. These include people with low incomes, disabilities, substance abuse issues or homelessness. ACT community groups have raised concerns about the serious consequences the system is having on vulnerable Canberrans. Recently an ACT magistrate was reported as describing the existing system as "a sledgehammer approach" that is "creating a lot of injustice".

Traffic infringements include a wide range of offences. They are offences such as speeding, failing to stop at a red light, and parking illegally. In the ACT, if a person fails to meet time limits to pay a fine, their drivers licence is automatically suspended. It cannot be reinstated until the fine is paid in full. I emphasise that this is not a suspension because of a serious traffic infringement; rather, it is a suspension that results because a fine has not been paid.

Fines are not always able to be paid on time. Some people in Canberra face unemployment, illness, homelessness, disability or other difficult circumstances. For some people, paying a fine would prevent them from being able to afford basic essentials such as food or rent.

Many people do not realise how hard it can be for some people to pay fines in a short time. Consider a person who receives a speeding fine for driving more than

20 kilometres over the speed limit, which is a \$245 fine. That amount of money means very different things to different people. For some people this fine alone would consume 15 per cent of their fortnightly pre-tax earnings, including overtime. For a person on Newstart allowance, the single fine would be 50 per cent of their fortnightly income.

Licence suspensions sometimes occur because a person is unable to pay, but sometimes disadvantaged people lose their licence because circumstances in their life mean that they did not have the capacity to engage with the system. This could include, for example, a person lacking language skills, someone with mental illness or intellectual disability, or a person of no fixed address.

A person whose licence is fine-suspended cannot get their licence back while they are paying off the fine. This is especially problematic given that low income or other disadvantaged people often rely on their licence in order to access employment and income. Suspending someone's licence can mean suspending their means of income or support. In many cases, once a vulnerable person's licence is lost due to unpaid fines, they have virtually no chance of getting it back.

A person who responds to a traffic infringement notice within the time period can apply for an extension of time for payment of up to six months. This is the only administrative flexibility that is available. There is no option to pay the fine in instalments. Nor is there an option for people to pay by other methods, such as by doing community work or a social development program. Nor is there an opportunity for the administering authority to waive the fine if the person is in special circumstances—for example, a person who is homeless or has a disability and has no prospects of ever repaying the fine.

It is important to note that the scenario I am discussing all occurs administratively. There is no option for a person to apply to a court unless they are actually contesting liability of the offence. They may not apply to a court for any reconsideration based on their circumstances. For people with limited means and limited support, the inflexibility of this system can have very serious consequences. The spiralling impacts of a single traffic fine can result in the loss of their licence, loss of income and employment, loss of housing and even homelessness.

This is not a theoretical or hypothetical discussion. There are real-life examples of this occurring in Canberra. The Greens have had the opportunity of discussing this issue with numerous people and organisations. These include individuals who have been affected personally, employment agencies whose clients are unable to access their services due to licence suspension, and ACT community groups working with vulnerable individuals. Some members will be interested to know that the Tuggeranong Community Council passed a motion asking for changes to address the harsh impact of fine suspension on people struggling to access work. ACT community organisations have documented numerous examples of how the ACT's inflexible traffic infringement system has caused severe hardships for disadvantaged Canberrans.

Today I released a short paper that reproduced some of the case studies documented by community groups. One case study, for example, documents an ACT resident who

was receiving a disability support pension. Her licence was suspended because she was unable to pay traffic fines within the time limit, and she needs a licence to access appropriate medical and community services. As she cannot pay her traffic fines in full, she cannot drive and is unable to access appropriate medical care which would help her to improve her medical condition. Another example is the story of a former truck driver who could not pay his traffic fines within the time period. This resulted in his licence being fine-suspended, which resulted in the loss of his job. With no job, he was unable to pay rent and became homeless.

These severe and disproportionate impacts do not need to occur. They can be addressed simply by reducing the inflexibility in the system. This can be done in a way that preserves the effectiveness of the fine payment system. The proof is that this is available in several other Australian jurisdictions which already offer administrative flexibility for people who have difficulty paying traffic fines because of disadvantage. In New South Wales a person with a parking or traffic fine can apply to pay in instalments, to pay off their debt via a work and development order or to apply for a waiver of the fine if they have a serious financial, medical or domestic problem. The ACT does not have this available to people.

The bill I am introducing today will address these problems. The bill makes amendments to make the system more flexible, with new payment options and options for provisional reinstatement of fine-suspended licences while fines are being paid. This will be administered by the authorities defined as “administering authorities” under the act, which include both the police and the Road Transport Authority.

In summary, the changes proposed in the bill would allow the following. Firstly, the bill would allow people to apply to the administering authority to pay a traffic infringement fine in instalments. This will save people having to access the court to seek a flexible payment option, which saves court time and reduces the risk of applicants incurring additional costs. It will allow people to pay fines off over time when otherwise they would struggle to pay them without facing significant hardship. An applicant with a Centrelink health care card or pensioner concession card or a Department of Veterans’ Affairs pensioner concession card or gold card will be automatically eligible to pay by instalments. These are the same eligibility criteria for instalment options that already operate in Victoria. It is not a radical proposal.

Under the proposal in this bill, the administering authority will retain discretion in relation to non-cardholders to allow instalment plans if it is justified by the person’s financial circumstances. Applications are to be made within 28 days; however, the authority will be able to accept applications outside this time. This will allow applicants the ability to pay off their fine via instalments once their licence has already been fine-suspended. A person may also have their licence returned while they are paying the fine, allowing them to use their vehicle to access income. A person will also be able to set up automatic deductions from fortnightly Centrelink benefits to pay off a fine. This is a tool that many recipients of Centrelink find helpful for budgeting.

Secondly, the bill would allow people in financial hardship or with special circumstances to apply to the authority to pay off the fine by undertaking community

work or a social development program. These programs would be rehabilitative and/or beneficial to the community. They would include activities such as volunteer work for community organisations; medical or mental health treatment in accordance with a health plan; counselling, mentoring, education or skills courses; and drug or alcohol treatment. A person can also apply for this option after their licence has been fine-suspended. The option recognises that for some people, it will be more appropriate to discharge their penalty through community work or social development programs. It will enable low income people to discharge fines and avoid the serious consequences that can result from having their licence fine-suspended.

Thirdly, the bill would allow people to apply to the authority to have a fine waived. This would only be granted where the applicant has special circumstances, such as disability or homelessness, cannot pay their fine and is unlikely to ever be able to pay the fine, and is not suitable to undertake community work or a social development program. This is expected to occur only in rare circumstances.

As I have mentioned, the bill gives the Road Transport Authority the power to reinstate a person's fine-suspended licence. This is permitted where a person has been granted one of the new flexible payment options—instalments or community work—and is complying with the arrangement. If the applicant does not comply with the requirements of the payment undertaking, the authority may reinstate the suspension.

These are important changes for ensuring that the ACT's traffic fine system operates fairly and justly. As I have said, improving the system will improve social justice and is also likely to reduce the number of people who drive while their licence is suspended.

It is important to note that the proposed changes are not designed to assist people who merely refuse to pay infringement penalties; nor are they about letting people escape the repercussions of breaking the law. The proposed changes are only about giving a person flexibility in paying a fine; they do not prevent a person from incurring demerit points for any offences. The changes simply recognise that the current system is so inflexible that it cannot fairly accommodate people suffering from disadvantage. The Greens want to ensure that authorities can collect traffic fines effectively and do not want people escaping fines for which they are liable.

I believe that making the system more flexible, as proposed in this bill, will assist with the administration of traffic fines and lead to better compliance. For example, flexible payment options are likely to encourage more people to engage with the system. Reinstating someone's licence while they pay is a way of ensuring that the person is able to pay and therefore that government will recover the fines it is owed. It is also likely to reduce the number of people who drive while their licence is suspended, which is a serious issue.

People in difficult circumstances whose licence has been fine-suspended feel that they have no choice but to drive. The result is unlicensed drivers on the road, and a risk for that individual of incurring significant additional fines or even prison. This was an issue recently raised by an ACT magistrate.

The ability to waive fines or to allow people to pay in other flexible ways can also save administrative costs, as it means that the authorities do not have to endlessly chase fines.

I would lastly like to note that this bill is about transport legislation, and therefore the proposed changes relate only to traffic infringements. However, the ACT Greens believe that the same flexibility needs to be considered for other kinds of infringements. For example, financially and socially disadvantaged Canberrans are most likely to receive public space and public order infringements. As an example, a fine for smoking in a public place would constitute nearly one-quarter of the fortnightly income of someone on a Newstart allowance. This is an issue that the government should pursue and that the Greens will follow up if there is no action.

I commend the Road Transport (General) (Infringement Notices) Amendment Bill to the Assembly.

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

Liquor Amendment Bill 2012

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

Title read by Clerk.

MR RATTENBURY (Molonglo) (10.30): I move:

That this bill be agreed to in principle.

This is a bill that makes one commonsense amendment to the liquor licensing system in the ACT. As members will be aware, there has been reform of the liquor laws in recent years, much of which the Greens have supported, as has much of the chamber. I think that we have seen the reforms rolled out quite effectively in recent times.

However, the Greens also believe that a commonsense approach has been lacking regarding one particular aspect of the reforms which relates to the timing of annual liquor fees. Since the reforms were commenced, the annual licensing fees have seen significant changes, with increases in 2010 and then some reductions and increases in 2011.

In both of these years, the fees were lumped on businesses with a very small turnaround time before they were due. In 2010, the fees were released on 19 October, which was six weeks before they were due, on 1 December. In 2011 the fees were released on 9 November, just three weeks before the 1 December due date. So the situation appears to be getting worse, not better, in spite of the passage of the reforms.

It is the Greens' view that businesses need more than a handful of weeks to cater for any changes in their annual fee and to plan for the year ahead. The need for this change comes out of two years of frustration for business in the hospitality industry.

For two years, they have had to wait until very close to the due date for annual fees before knowing what they were required to pay the government.

The details of the amendment are straightforward and to some extent it is a shame that such an amendment is needed. I do believe that we are legislating for common sense here. That is a shame because it really should not be necessary. But it has reached a point where we feel that this step does need to be taken in order to provide that certainty that we believe the players in the industry deserve, and the licence holders, because the last two years do speak for themselves. Businesses have been telling the Greens that this amendment is needed.

The amendment will require that pubs, clubs and all other forms of licensed venues be given a minimum of three months notice if the government plan to change their annual licence fee. Currently the administrative practice of government, as I said, is to require annual fees to be paid by 1 December. Our amendment would therefore require the minister to release any new or revised annual fees by 1 September at the latest.

On a related point, I should reference the fact that businesses in this industry find it somewhat unhelpful that their annual fees are due at the start of summer and in the festive season, the exact time of year when they are both very busy and it is an important time of year for them in terms of, I guess, their annual income.

So I would encourage the government to investigate this issue and talk with the industry to see if a more suitable annual renewal time can be found. I guess that there are a range of other points in the year when the fees could be due. Given that November-December is such a busy time, coming up to the Christmas season and the summer season, I think that a better administrative arrangement can be found.

Importantly, our amendment caters for this eventuality by setting a flexible three-month requirement. If the administrative practice of the government changes to another date, the three-month requirement will simply move with it. In this way, the amendment is a simple but flexible one which business is asking for.

It is a short bill. I will keep my remarks on it short as well to match the simplicity of it, but I think it is one of those changes that this place can make that will have a real effect on the ground to simply make life that little bit easier for a range of small businesses across this city. I commend the bill to the Assembly.

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

Planning and Development (Greenhouse Gas Reduction Targets) Amendment Bill 2012—exposure draft Papers and statement by member

MS LE COUTEUR (Molonglo), by leave: I present the following papers:

Planning and Development (Greenhouse Gas Reduction Targets) Amendment
Bill 2012—

Exposure draft.

Explanatory statement to the exposure draft.

Fact sheet.

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

Leave granted.

MS LE COUTEUR: Today I present the Assembly with a bill to ensure that planning decisions and the planning approvals process are consistent with the legislated greenhouse gas reduction targets in the Climate Change and Greenhouse Gas Reduction Act 2010. The ACT Greens are calling for public submissions on this exposure draft of the Planning and Development (Greenhouse Gas Reduction Targets) Amendment Bill 2012 by, I believe, 20 April.

To achieve this the bill amends the objects of the act, inserts new requirements for the statement of strategic directions and a range of other development plans as well as inserting a number of new requirements within existing Planning and Land Authority functions. The bill creates new obligations on the Planning and Land Authority and ensures that planning decisions are made recognising both the impacts of climate change and our obligation to respond and achieve the legislated greenhouse gas reduction targets in the Climate Change and Greenhouse Gas Reduction Act 2010.

Why are we putting this forward today? We are putting it forward because in 2010 the ACT Legislative Assembly passed legislation committing the ACT to reducing greenhouse gas emissions by 40 per cent less than 1990 figures by 2020. This figure was based on what scientists are telling us is necessary if we are to limit global warming to two degrees. We now know that if we continue with business as usual, the medium predictions forecast minimum warming of at least 2.3 degrees and possibly up to six degrees by the end of the century. It is therefore important that we treat our climate reduction targets as minimum targets, not aspirational targets.

Our atmosphere today contains greenhouse gases at a concentration higher than that of the past 55 million years. Geological records tell us that this level of climate change spells disaster. Far from climate change being a concern of the future, the world is already witnessing this disaster unfold. The 1990s were the warmest decade since the beginning of instrumental records. In the United States 2011 was one of the most costly years on record for extreme weather events. In Asia people are being forced to adapt to growing water shortages and the spread of vector-borne diseases. In the Horn of Africa severe drought is exacerbating already severe food shortages. In Europe the recent historically and bitterly cold winters have claimed the lives of hundreds. In Australia bushfires and flooding are increasing in frequency and intensity. In the poles glacial run-off is increasing and spring discharge is occurring earlier each year. Globally plants and animals are being forced to migrate to higher altitudes and breed ever earlier in the annual cycle.

This is a glimpse of what could come—what will come, in fact—if we fail to act now. By the end of this century, our world could be six degrees warmer. In the absence of

action, scientists tell us that by 2017 we will be locked into catastrophic temperature rises. Extreme weather events will increase in frequency and severity and daily temperature extremes will become commonplace. By 2050 one million species are expected to be extinct and one billion people will face freshwater shortages. By the end of the century, late Arctic summer ice will have disappeared.

In Australia we stand to lose our precious coral reefs and up to 85 per cent of our alpine snow cover. Our net agricultural productivity will drop by at least six per cent, and our senior citizens will be 20 per cent more likely to die from temperature extremes or vector-borne disease. Storm tides, tropical cyclones, peak electricity demand and infrastructure maintenance costs will all rise and, under the worst forecast, we could lose up to all the habitat for our vertebrate species.

Whilst it will take a concerted effort to turn this situation around, requiring military-scale expenditure, the implications—economic, social and environmental—of inaction are simply not something that anyone would want to see happen. Each year we fail to act costs us and our children more—five to 20 per cent of global GDP more by 2060, according to Nicholas Stern.

Whilst the scale of ambition required to lick this problem is enormous, there are signs of hope and courage that we can look for when forging our own pathways to sustainability. In the developed world Scotland plans to meet 100 per cent of its electricity needs from renewable energy by 2020. It has already exceeded its 2011 target by 31 per cent and it has cut its emissions by 21 per cent since 1990.

California is investing \$2.2 billion in the rollout of more than 3,000 megawatts of solar powered electricity. In Denmark 19 per cent of the national energy needs are supplied by the wind, and in Sweden emissions are on the decline. In the developing world the Maldives has committed to become carbon neutral by 2020 and in Bhutan native forests are capturing more carbon than the country emits in all of its sectors put together. These examples are just some in a broader narrative of countries and communities doing what it takes to ensure a safer, cleaner future.

In the ACT, stationary energy makes up 71 per cent of our emissions—31 per cent of this is from the residential sector, 40 per cent from the commercial sector, 23 per cent from transport and only three per cent from waste. The Planning and Development Act 2007 governs development in the ACT, and thus it influences a large proportion of the ACT's greenhouse gas emissions.

The ACT Greens believe the ACT government planning and development decisions should take climate change and greenhouse gas emissions into account at an early stage of urban planning to ensure that the city and suburbs are laid out and planned in ways which will allow for minimal greenhouse gas emissions.

If we are going to address greenhouse gas emissions in a cost-effective way, we must make sure that all future development in the ACT is consistent with our reduction targets. The built environment is generally long lived, and any new buildings we build commit us to emissions for decades to come. We make our greenhouse gas emission targets unachievable if we build inefficient houses and infrastructure. And this will

then force us to find more ways to reduce greenhouse gas emissions from our existing buildings and transport infrastructure, which is often a more costly process.

This bill requires that larger scale development plans—that is, structure plans, concept plans and estate development plans—be compatible with greenhouse gas reduction targets. These plans cover the layout of suburbs, which affects transport planning and building orientation. The bill also requires a climate change impact assessment to be undertaken for larger scale impact track development applications.

Apart from impact track developments, the bill does not cover individual building approvals. The way our planning system is set up means that the Assembly cannot easily change requirements for individual building approvals. However, the bill requires the planning authority, ACTPLA, to revise the territory plan by December 2013 to ensure that the plan is compatible with the greenhouse gas targets. And the territory plan would also need to be revised every five years after that with the same aim.

We would expect that this revision would lead to a number of changes in the planning codes, such as the territory plan requiring buildings to be consistent with our greenhouse gas reduction targets. In the short term this could be a move to a seven-star energy efficiency rating requirement, but over time we expect that this could mean incremental increases to carbon neutrality. The bill would also require ACTPLA to report annually on greenhouse gas emissions expected from approved developments.

The problems with the current planning system are basically around the fact that the ACT planning system does not currently include practical consideration of how new development proposals will contribute to greenhouse gas emissions. There is no guidance for decision makers to determine whether large developments, such as those in the impact track, are going to help or hinder the ACT to meet our legislated emissions targets.

It is also disappointing that greenhouse gas emissions are not one of the targets of the draft ACT planning strategy. I note that one target in the strategy is about achieving higher density, but this in itself will not necessarily reduce greenhouse gas emissions and, in fact, could lead to an increase in greenhouse gas emissions.

Our current planning codes include many perverse things such as a higher plot ratio for single dwellings than dual occupancies, which just goes to encourage larger houses; restrictions on secondary dwellings on blocks, also known as granny flats, which require the dwellings to be removed when granny leaves; lower EER requirements for multi-unit housing; strict rules and criteria which do not allow for sustainable innovation; and there will no longer, with 306, be any requirement for houses to face north.

What will this bill mean for development in the ACT? Development in the ACT will continue, but it will be more sustainable and more responsive to greenhouse gas emissions. This will mean that new suburbs better incorporate such things as good public transport, cycle paths and footpaths to reduce transport emissions, planning for

microclimate management and appropriate space for renewable energy generation. It will mean that at some point in the future most buildings will be designed to be carbon neutral. It may mean that new development will include more townhouses and other medium density housing rather than concentrating on high rise or single-storey detached dwellings.

What does it mean to be carbon neutral, because I have used that term? Carbon neutral, or zero emission, buildings are buildings which are either designed so that no greenhouse gasses are produced or, probably more realistically for many buildings in the ACT, so that the buildings can balance the greenhouse gas emissions they produce by using offsets. Carbon neutrality can either be for a building's whole life cycle, which includes the manufacture and transport of building materials, or just for the operational use of the buildings.

In the ACT most greenhouse gas emissions from construction are generated outside the ACT. So for the purposes of our greenhouse gas reduction target, it is most appropriate to focus on operational use. However, I note from the point of view of the world as a whole we really need to look at both of those. Achieving carbon neutrality for the operational use of buildings requires a two-pronged approach: firstly, reducing the energy consumption; and, secondly, using 100 per cent renewable energy sources for remaining energy consumption.

Is it really possible to build carbon neutral buildings? The answer to that is a resounding yes. In the UK it is government policy that after 2016 all new buildings will be carbon neutral. They have a code for sustainable homes introduced in 2007 which provides a guide to target carbon performance levels and typical solutions that could meet desired level of performance.

In South Australia the government has established a model sustainable urban village for 100 houses at Lochiel Park in Campbelltown, eight kilometres from the Adelaide CBD. Each house must meet a minimum of 7.5 stars EER, but the urban design guidelines for the area assist in improving beyond that. The South Australian Land Management Corporation is currently running a zero carbon design challenge for a block on the site.

The Victorian government has a zero emissions neighbourhood project, which includes building zero energy emissions housing in conjunction with the CSIRO.

In Australia, of course, for many years there have been many off-grid houses which are essentially carbon neutral. And in Canberra, of course, there are already many houses which are carbon neutral by being energy efficient and then either buying green power or generating sufficient renewable energy themselves.

The Green Building Council of Australia has outlined the options for carbon neutral commercial buildings, as this is becoming more important to commercial tenants. Well-designed office buildings which require little or no mechanical heating and cooling are also more comfortable and healthier to work in. There has been a concern that it will cost more to build this way. In general, the answer is no. We are talking about good design, not expensive design. Designing a suburb to be more sustainable requires more design effort up front, but it should be basically the same cost to implement.

Building green suburbs and houses is cheaper in the long run. The higher the energy star rating the cheaper the house is to run over time. In other words, any additional cost of building is more than offset by money saved in running the house or other building. And we expect that these changes will lead to improved housing affordability. This is because houses will cost less to heat and cool, water bills will be lower and transport costs will be lower due to a combination of a good public transport system and a good walking and cycling network. This will also lead to better health outcomes.

The payback period on additional construction costs of moving a six-star house to a seven-star house is about seven years, without taking into account other benefits such as increased comfort, reduced loads on the electricity grids and higher resale values. But that is the maximum. The additional costs, in fact, are minimal if the house is designed well. Wayne Floyd, President of the Association of Building Sustainability Assessors, researched such costs using AccuRate software to analyse a range of brick and tile first home house designs. The results consistently showed that the energy rating of a modest brick and tile bungalow can be increased from five to seven stars for under \$4,000 at the time of construction by positioning the house well on the block, making sure it is properly insulated and using double-glazed energy rated windows. These changes can result in a substantial reduction in energy use when compared to five-star homes—a 24 per cent reduction for six-star homes and 45 per cent for seven-star homes. Eight-star homes can save around 75 per cent on both water and energy compared to an average house.

Water efficiency measurements can be done at little or no additional cost, and studies have shown that water saving measures can save around 25,000 litres of water per household per year. In addition, as we all know, Australians have the enviable reputation of having the largest new homes in the world. So any modest increase in capital cost per square metre of a house could be offset by a very small reduction in the average size of house so that new houses are closer to the average size of Canberra's houses.

In conclusion, I believe this bill is an important step forward in the ACT's task of addressing climate change issues, and the Greens very much welcome your feedback on this exposure draft.

Waste—management

Debate resumed from 15 February 2012, on motion by **Ms Le Couteur**:

That this Assembly:

(1) notes:

- (a) that the ACT has the second highest rate of waste production per capita in Australia, at 2.5 tonnes per resident;
- (b) that on average, 40-50% of household waste is organic matter;
- (c) that the level of waste per capita is growing;

- (d) that the Mugga Lane landfill site is expected to be full in 2015;
 - (e) that the Government commissioned Hyder to produce a report Assessment of waste infrastructure and services options for the ACT which was delivered in December 2011;
 - (f) that according to the Hyder report, an education program:
 - (i) could reduce overall level of waste to landfill from the household stream by 23% by increasing recycling rates and home composting and food waste avoidance;
 - (ii) is the most cost effective solution as it doesn't require significant investment in large infrastructure; and
 - (iii) would be best implemented if contracted out, and therefore not subject to potential annual budget cuts;
 - (g) that source separation of recyclable materials:
 - (i) recovers the highest quality organic material for composting with the highest reuse value that can be used to enrich soils and sequester carbon;
 - (ii) would be enhanced by an education program; and
 - (iii) has a synergy with the plastic bag ban, as without organic matter in landfill bins, bin liners are unnecessary;
 - (h) that the Government's current Waste Management Strategy includes a residual waste Materials Recovery Facility (also known as a dirty MRF), despite it being known that the flow of toxic and hazardous waste to landfill means that any organic waste collected cannot be used for high quality compost and has little market value; and
 - (i) that a new contract for ACT waste vehicles is due to be negotiated in the middle of this year; and
- (2) calls on the Government to:
- (a) commence an education program along the lines indicated in the Hyder report;
 - (b) not commit any funds to a residual waste MRF at this stage;
 - (c) ensure that any contract entered into for rubbish removal this year is compatible with an organic waste collection scheme; and
 - (d) consider an organics collection bin if there has not been a significant reduction in organic waste to landfill as a result of the education program.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (10.51): In December 2010 I released the draft ACT waste management strategy along with a number of consultancy reports that identified barriers to improving resource recovery

in the ACT and options to address these. To both inform the community and elicit feedback on these options, five community forums, an industry forum and a specific energy-from-waste forum were held during February 2011.

The Greens MLAs and their advisers attended two of these forums and my directorate has provided them with three briefings on the waste strategy, along with the potential strengths and weaknesses of an organic waste collection service and a residual waste material recovery facility, or a residual MRF. I am therefore surprised that Ms Le Couteur and her Greens colleagues continue to push for ineffective and inefficient proposals such as the so-called third bin.

Ms Le Couteur asserts that the Mugga Lane landfill site is expected to be full in 2015. This is merely part of the story about the management of landfill needs in the territory. Nonetheless, none of the proposals put forward in this motion, such as education or a third bin, would address the problem, even if it were the case that the whole Mugga landfill were to be full in that time.

The fact is that only the current cell of the Mugga Lane landfill is expected to be at capacity by 2015. The government has been aware of this situation and its impacts on the community and has made statements about its plans for new cells adjacent to the existing area. These arrangements are well advanced and will ensure the continuous provision of a safe, secure landfill capacity for the ACT potentially out to 2080.

The government commissioned Hyder to produce a report, *Assessment of waste infrastructure and services options for the ACT*, which was released in December 2011. However, the conclusions the report presents are not reflected in the Greens' motion today. Instead, the Greens have cherry-picked the Hyder report in an attempt to support their preconceived positions on this matter.

What this motion fails to recognise is that the territory's waste strategies have already reduced waste to landfill from nearly 60 per cent to below 30 per cent of total waste since 2003-04 and in 2010-11 we reached a low of 25 per cent. The use of a residual waste MRF would deal with the remaining green waste from our households and our urban forests. The motion also fails to recognise that with the existing resource recovery rates in the nation, the ACT's waste management strategy contains the most ambitious targets of any jurisdiction for resource recovery into the future, including the achievement of carbon neutrality for our waste sector.

I would like to turn to the issue of a third bin and the reasons it is not supported by this government. The evidence is clear that a third bin option simply is not a cost-effective solution. The evidence is that they do not result in the levels of resource recovery that we can expect from a modern waste management system, and comparisons with other cities ignore the high recovery rates and overall better waste management already achieved by the ACT.

For example, Penrith City Council introduced a third bin for organic waste and found that it resulted in very high levels of contamination, while producing a low value compost. Hyder shows that a residual MRF would have much higher rates of useful resource recovery. Furthermore, Hyder suggests that household-based waste

separation has captured less than 50 per cent of the household organics in trials in South Australia and internationally.

The Greens have frequently raised the Goulburn “city to soil” trial of household organics collection as a model for best practice. The New South Wales government’s review of this trial found it was capturing just 18 per cent of the households’ total organic waste—that is right: only 18 per cent. By contrast, the Hyder report commissioned by the government suggests that a residual waste materials recovery facility would recover over 80 per cent of household organics, as well as other materials that have been incorrectly binned, such as valuable glass and aluminium going into the general waste bin.

Hyder also found that a residual waste MRF has the lowest carbon footprint of the options considered and would have approximately half the cost of an organic waste collection service. However, the ACT’s waste management strategy does not focus exclusively on waste infrastructure requirements. Rather, it explicitly puts reduced waste generation, supported by awareness raising, education and community action, as its first objective and first strategy respectively.

On this one thing I think we can agree: education can be an effective low-cost strategy in reducing waste production and improving recovery rates. That is why education is the central part of the strategy. The education scenario referred to by Ms Le Couteur and modelled by Hyder was a direct response to a request by the Labor government to examine the possible effectiveness of expanded education initiatives. It is important to note that the Hyder report states that the education scenario “consists of the business as usual kerbside collection services combined with an intensive community education and engagement program to achieve aggressive waste reduction targets across all waste categories over a period of four years”. It is not linked to a third bin solution.

If these targets from education and business as usual alone could be achieved, they would provide the most cost-effective reductions in waste generation. However, what Hyder calls these “aggressive” waste reduction targets would reduce waste to landfill by less than 10 per cent of the total. So the education option, combined with business as usual, would achieve less than 10 per cent of the total waste stream being diverted from landfill, rather than 23 per cent of the household waste stream. The government needs to take a holistic approach to the ACT’s waste management system rather than focusing exclusively on actions targeting the household sector.

To meet the government’s ambitious targets for resource recovery and to achieve sustainable resource management, education alone will not be enough. A suite of actions will be required, including improvements to waste infrastructure. These are outlined in the strategy. The government is already moving forward with the commercial MRF, which by 2014 will help to divert up to 40 per cent of commercial and industrial waste from landfill each year. Any decision on a residual MRF will be made after that time and based on an analysis of opportunities and costs at that time.

This is not to say that the government is focused only on infrastructure. The government continues to remain a leader in best practice waste education. For

example, the Australian sustainable schools initiative has been a great success in educating children and young people about the benefits and the practices of effective recycling. We now have, in a first for Australia, 100 per cent participation by all ACT schools.

The government's ACTsmart business and ACTsmart office recycling programs have provided carefully targeted education to help Canberra businesses reduce their waste to landfill, including achieving remarkable improvements at a number of businesses. For example, the Gungahlin McDonald's have reduced their waste to landfill by 54 per cent through their involvement in the ACT government's ACTsmart program. This is an international company with a substantial environmental program seeking to achieve best practice. The ACT's long-running community engagement and education programs have contributed to the ACT's nation leading rates of household recycling, garden waste recovery and an extremely low contamination rate of our recycling streams.

Finally, with regard to green waste, it is generally accepted that residual MRFs or third bin systems would not produce a compost of as high a quality as the ACT's existing green waste composters. Our current green waste composters produce marketable high quality composts for commercial customers, recovering around 90 per cent of the green—that is, garden waste—waste generated currently in our city. This is why Hyder recommended in the report that the government should maintain this existing and highly effective garden waste recovery system and not destroy this system by introducing a green bin or third bin as some wish to advocate.

The Greens' proposal would cost more; a third bin proposal would cost more. It would produce lower quality compost at a higher cost than the existing system and it would undermine the existing sustainable garden waste industry which employs local Canberrans and which has emerged around green waste recycling in the territory. A residual MRF is no substitute for education and source separation and the territory's existing and effective green waste recovery systems. The government has never suggested that it is. It is a viable and credible complementary approach and therefore the government will continue with its education programs.

Turning to the quality of material that can be produced by a residual MRF, a residual MRF can produce a good compost of significant value for soil rehabilitation, forestry and a range of agricultural applications. There is substantial demand for these composts, as evidenced by the current sales of these products from Australia's compost producing MRFs currently.

The government has not at this time committed funds to a residual waste material recovery facility. Based on Hyder's suggested lead time for this infrastructure, it is expected that no process to implement a residual MRF would be required until 2017. This is clear in the waste strategy and so, in this sense, the Greens' motion is a little out of context.

The contracts for rubbish removal this year will be designed to achieve the best value for ACT ratepayers. Exhaustive policy analysis has shown that a household organic waste collection service is not compatible with a cost-effective waste management

system in the ACT, as well as having a range of other issues associated with it, particularly from a public health and public safety perspective.

The government has given substantial consideration to an organic collection bin and the evidence shows that it simply will not address the issue of diverting organic waste from landfill in any substantial way. It will not reduce greenhouse gas emissions nor will it improve recovery rates beyond those that can be achieved through alternative options. It fails the fundamental test that the Greens' motion does not address—achieving value for money for the community's existing investment in waste management.

In light of the evidence, and in the interests of the environment and our community, it is time to move beyond simplistic and costly third bin proposals to an efficient, effective and sustainable waste management system for the ACT. I have circulated amendments in my name which address the issues of concern from my perspective in Ms Le Couteur's motion. I now seek leave to move the amendments circulated in my name together.

Leave granted.

MR CORBELL: I move:

(1) Omit subparagraph (1)(c), substitute:

“(c) the ACT Labor Government waste management strategy has resulted in the ACT having the highest recycling recovery rate in the country at more than 70%;”.

(2) Omit subparagraph (1)(f), substitute:

“(f) the Hyder report states that an education program:

- (i) as an effective means to reduce waste to landfill was untested in Australia;
- (ii) even on the ‘aggressive’ numbers provided would reduce the total waste to landfill by less than 10%;
- (iii) should be part of the waste management strategy, but is not enough on its own to substantially increase recovery rates; and
- (iv) cannot replace a residual waste Materials Recovery Facility (MRF) which would allow large scale recovery and diversion of a further 53 000 tonnes a year of waste from landfill by 2021;”.

(3) Omit subparagraphs (1)(g) and (h), substitute:

“(g) source separation can result in high quality recovery of organic material, but has been proved to be ineffective to achieve high rates of recovery:

- (i) the ACT already achieves organic garden waste recovery at more than 90%, which produces high quality, high value, compost material and will continue to do so;

- (ii) the recovery of additional household organics with a MRF will produce safe and valuable compost; and
 - (iii) recovery of household organics with garden wastes in a third bin risks contaminating the green waste and undermining the existing, highly effective, garden waste collection system;”.
- (4) Omit paragraph (2), substitute:
- “(2) further notes:
- (a) Hyder concluded that the MRF was the best environmental choice;
 - (b) that the education scenario and the MRF were not mutually exclusive;
 - (c) that the Government’s waste strategy supports both education and new cost efficient and effective waste infrastructure;
 - (d) Hyder shows that the MRF scenario performs best in terms of overall GHG emissions;
 - (e) the report also shows the most expensive overall options considered are the Garden 3rd bin scenario and the Organic 3rd bin scenario; and
 - (f) Hyder shows that these would collect less than half of household organics at nearly twice the cost of a MRF which would collect more than 80%.”.

MR COE (Ginninderra) (11.04): The issue of waste is one that should be central to a local jurisdiction. Everywhere else in the country there are councils which deal with this kind of problem on a daily basis. Here in the ACT it is, of course, the ACT government which delivers this service or, in some instances, fails to deliver this service, in spite of there being an expectation from the community that such a service should and will be provided.

The government’s approach to waste really is quite erratic. You have mixed messages about how committed it is. We heard how committed it was to no waste by 2010. The 2010 bit got dropped because that was unachievable, in spite of it being very achievable, by the government’s own admission, in the early part of that decade. Then we had the government saying, “No, it’s an aspirational target.” At all points in this journey the government has been telling us how committed it is to reducing waste and how committed it is to working towards a no waste situation. Yet if you actually look at what this government has committed to and if you actually look at its tangible policies, you simply do not see that on the ground.

In 2008 the Canberra Liberals took a policy to the election entitled “green bins for Canberra”. It was in response to an expectation by the community that this kind of service would be delivered by a local jurisdiction such as the ACT. When you look at the total waste to ACT landfills over the last 20-odd years there was a significant decrease in the mid-1990s. However, since then it really has plateaued. We are not

seeing the kind of improvement in waste to landfill that the government said would happen and that its policies are trying to address. It seems to me that we are spending a huge amount of money on something which, by the government's own admission, in the budget papers and in the annual report of TAMS, is having very little impact. In fact, waste per capita is on the up; it is not coming down at all.

The motion moved by Ms Le Couteur contains some significant facts which are highlighted in part (1) of that motion. The fact that we have the second highest rate of waste production in Australia shows that this government has failed. In the ACT we do have economies of distance and we have economies of density. We do not have towns in the middle of nowhere that have to be subsidised. We do not have any rubbish in the ACT being more than 15 or 20 kilometres from the rubbish tip, in effect. So why is it that we are not able to get many more efficiencies than we are currently getting out of the current waste system and the government's waste strategy?

Ms Le Couteur rightly points to a number of facts that have been outlined in the Hyder report. The Hyder report is a document well worth looking at. I think the government has not really looked at it in the detail that it should have. It certainly does not seem to back up the government's waste strategy. As a waste strategy (a) it is a pretty worthless document and (b) I do not think it is actually backed up by the facts as demonstrated in the Hyder report and in a number of other open source documents which are out there.

The Canberra Liberals support much of the motion that Ms Le Couteur has put forward. We do have one or two slight concerns. However, we think that the sentiment is worthy of being supported. Of course, some of it is actually consistent, as I said earlier, with the third bin policy as promoted by the Canberra Liberals about four years ago. It is for that reason that I foreshadow an amendment that I will be moving to this motion after Mr Corbell's amendments are dealt with. Our amendment will seek to have the history of the situation recorded in that the Canberra Liberals actually had this as a 2008 election policy.

In conclusion, I seek leave to table a copy of the Canberra Liberals' 2008 policy entitled "green bins for Canberra".

Leave granted.

MR COE: I present the following paper:

Green Bins for Canberra—Canberra Liberals, dated 20 September 2008.

I would ask that all in this place review that policy and look at what the alternatives could have been had the Liberals been put in government in 2008, as it was a very real proposition put to the crossbench. Here we are 3½ years on. Waste management was core to the Greens' message and core to their brand. The Canberra Liberals had their policy on the table. It was one that we were absolutely committed to implementing and one that the Greens were very well aware of at the time of making their decision as to whom to support in this place. They went with the Labor Party, which has fobbed them off and has no intention whatsoever of delivering on this issue. Yet there still

seems to be blind support of the government in spite of this and so many other issues being simply pushed aside.

Here we are about six months or so away from the next election and suddenly the Greens are realising that all the things that they were promised in the parliamentary agreement and in other forums are not going to eventuate. There is only six months to go. Is the government of the day really going to deliver upon Greens' election policies from 2008 six months before the next election? Does anybody think that is actually going to happen?

As far as I am concerned, the Greens-Labor agreement is at the end of the line. I do not see any more progress happening on that. Looking at that document and what was meant to happen in 2009, 2010 and 2011, where is the office block for Gungahlin? Where is the shopfront in Gungahlin? That was meant to be delivered in 2009. We are still waiting for the Gungahlin shopfront. There has been feasibility study after feasibility study to open a shopfront.

The Greens have been taken for a ride by Labor. Perhaps for some members of the Greens it has been a willing ride, I might add. But, one way or another, what the Greens were promised in 2008 has not been delivered. Something that the Greens supported which the Liberals promised in 2008, being green bins, could be on the table for discussion. In fact, it could well have been rolled out by now. Yet because of the decision that the Greens made in 2008 to support Labor it means that something as core to their movement as waste strategy and waste policy has been absolutely neglected because of an ideological mission to drive out the Liberals, as opposed to a genuine concern about the policies which they supposedly advocate. The Canberra Liberals will move the amendment to make sure the record is straight with regard to what the Canberra Liberals' policy was. I hope all in this place remember exactly what the Canberra Liberals proposed in 2008.

MADAM DEPUTY SPEAKER: Ms Le Couteur, are you speaking to the amendment?

MS LE COUTEUR (Molonglo) (11.14): Yes, to the amendment, not to close the debate. I am speaking to the amendment, which clearly I do not agree with. It seems to me that there are two parallel universes as far as waste is concerned. One universe is the draft—I am sorry, it is no longer a draft, it is the waste strategy. The other universe is the Hyder report. And they are actually not totally the same. I suspect the Hyder report is the hard-nosed financial analysis and is the one that we should probably pay more attention to.

The Hyder report is premised on the idea that we will increase waste per capita. I think that is an unfortunate premise but I think it is demonstrating what the government believe will happen. The draft waste—sorry, I should no longer call it the draft. I would like it to be only a draft, but the waste report, waste strategy, intends in fact that the growth in ACT waste generation is less than the rate of population growth by 2020. The two are starting from different premises. If the government actually believed that this was what was going to happen, why didn't they say this to their consultant, Hyder, when they did the real analysis?

I will go through the various points in Mr Corbell's amendments. I have no problems with putting in that the ACT Labor government's waste management strategy has resulted in our having the highest recycling rate, at 70 per cent. We could add that. That is not a problem.

I have problems with his paragraph (2), which refers to and misquotes the Hyder report. I am afraid my response is going to be a bit slow because, as this was not actually tabled last week, I have only just got this a couple of minutes ago. He says that the Hyder report is untested in Australia and should not be part of a waste management process. That is really not what the Hyder report says. I read from page 112:

The Education scenario appears to be a very desirable waste management option, providing benefits in both cost savings and greenhouse emissions reductions.

That is sounding pretty positive to me. In terms of whether it should or should not be part of a waste management strategy by itself, that is how the Hyder report has it—different options. I welcome the comments that Mr Corbell has made, which would seem to imply that the government may be intending to do both, although he has not actually quite said that. I think that it would be consistent with what Mr Corbell said in his speech that, in fact, the government would be supporting paragraph (2) in my motion. It calls on the government to commence an education program along the lines indicated in the Hyder report.

Mr Corbell has spoken at length about the virtues of education. I think that we totally agree about the virtues of education. That is why we would like to follow what the Hyder report says is a very desirable waste management option and actually do it. It appears from Mr Corbell's speech, and given that he is not supporting my motion, in particular (2)(a), that the government does not intend to put any additional resources into education and will continue doing a small amount, which is better than nothing but not enough to actually do anything.

He says that education cannot replace the dirty MRF. I think that the jury is out on that. If Mr Corbell actually read what our motion is saying, what our motion is saying is that we do education. We work out whether we can do as well as the Hyder report suggests. In fact, can we do even better? The Hyder report is talking about no gains from education after the first four years. I think that is very unambitious of them, and I think that it is entirely likely that in fact we can do much better.

Paragraph (3) is mutually contradictory in what he has written. It says:

... source separation can result in high quality recovery of organic material, but has been proved to be ineffective to achieve high rates of recovery ...

It then says:

... the ACT already achieves organic garden waste recovery at more than 90% ...

You can have it one way or the other, Mr Corbell. We either can do it or we cannot do it. And that is really unclear.

He has actually said that waste from the dirty MRF will produce safe and valuable compost. Unfortunately, that is not what the Hyder report says. The Hyder report says that we will end up with glass shards. I am sorry that I have to zip through this but we were not given this in enough time to prepare a better response. Page 60 of the Hyder report says:

Less certain are the markets for mixed composted MSW (municipal waste) and biochar—organic products derived from mixed MSW are currently being used for mine rehabilitation in some locations, although the demand appears limited the material is understood to be sold at a loss, to mine operators.

The biggest problem—is it the biggest? One of the major problems with the dirty MRF is that what we get out of it is just not something which people want. It is not something which will actually improve the soils of Australia.

He goes on in paragraph (4) to note:

... Hyder concluded that the MRF was the best environmental choice ...

That, of course, is not what Hyder concluded. If Mr Corbell looks at table 43 on page 70, he will find that Hyder has different results to 2021 and to 2030. And if you go to 2021, which I feel would be a better basis of comparison because it is much more certain, and look at the total greenhouse gas emissions, GHG, of recycling, it clearly comes out that education is the winner to 2021. I agree that to 2035 the dirty MRF is the better one. But as I said, it is much clearer what is happening in 10 years time, and I think that the education modelling is not ambitious enough. Mr Corbell notes:

... that the education scenario and the MRF were not mutually exclusive ...

I totally agree with that. I believe that the education scenario needs to be done first, and that is what the Greens' motion says. That is why I am really surprised that the government, given what Mr Corbell has said and given some of the things in his motion, is not supporting at least my call in (2)(a) to commence an education program along the lines indicated in the Hyder report. Given this, I can only assume that the government does not intend to have a serious education program. It intends to just continue with the very small and unambitious things that it is doing at present. I can only assume that what he is actually saying is that if we have a real education program, an ambitious education program, what we will find is that the dirty MRF is financially irrelevant. It financially does not stack up, because we will divert so much away from the waste stream and the landfill that there will not be a need for the dirty MRF.

I am really glad that Mr Corbell is suggesting:

... that the Government's waste strategy supports both education and new cost efficient and effective waste infrastructure ...

I look forward to seeing this statement turned into practical realities of dollars, actually doing it.

Point (d), as I pointed out before, that the dirty MRF is best in terms of overall greenhouse gas emissions, is not true if you look at 2021. Yes, he is correct that the report shows that the garden-food bin and the organic-food bin scenarios are expensive options. And that is true. This is the reason why the Greens are not putting the organic-food bin forward as the first option. This is why the Greens are saying, "Look at the option which appears to be the most desirable." If you look to 2021, it basically costs exactly the same as business as usual. It is in fact \$20,000 a year cheaper. With the limits of what we are doing, that is the same. From an environmental point of view, it is better.

It is beyond me why the government is not supporting what I think is the clear conclusion of the Hyder report, that a strong, aggressive education program has the potential to have the best outcome for waste in Canberra. Give education a go. I think that the government is selling the capabilities of ACT residents short. We can do better than the government thinks. We can change. The Hyder report's education program would be the way to make this happen.

Question put:

That **Mr Corbell's** amendments be agreed to.

The Assembly voted—

Ayes 7

Noes 10

Mr Barr
Dr Bourke
Ms Burch
Mr Corbell
Ms Gallagher

Mr Hargreaves
Ms Porter

Ms Bresnan
Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson

Ms Hunter
Ms Le Couteur
Mr Rattenbury
Mr Seselja
Mr Smyth

Question so resolved in the negative.

MR COE (Ginninderra) (11.28), by leave: I move:

In subparagraph (2)(d), after "organics collection bin", insert "as proposed by the Canberra Liberals in 2008,".

As I have already articulated, this was indeed part of the election policy that the Liberals took to the 2008 election, that being a third bin, a green bin, for Canberrans. And if the Greens had made a wiser choice in 2008 and actually been true to their convictions when it comes to issues like waste and the environment, this motion today would be redundant. Everybody would have their third bin. The waste to landfill would be going down and indeed Canberra would be a better place to live. So I happily move this amendment that in (2)(d) after "organics collection bin" we insert "as proposed by the Canberra Liberals in 2008".

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (11.29): Perhaps I should not be surprised but I am surprised that the party opposite—and they seek to claim again and again that they are concerned about the cost of living impacts and increases in rates that are flowing, they assert, to Canberra households and that they undertake steps to reduce costs to Canberra households—are insisting upon a solution for organic waste that will cost ACT taxpayers \$20 million per annum by the year 2021 to collect not even half of the organic waste that is currently going to landfill. Compare that with the other options that are in the Hyder report. Clearly Mr Coe has not read the Hyder report. If he had read the Hyder report, he would know that there are cheaper options that recycle more waste. So why would the Liberal Party insist on an option that is more expensive and recycles less waste? Let us make the comparison. At the very least, the Greens understand what the financial analysis shows. Clearly Mr Coe does not.

Let us go to the waste strategy. Hyder Consulting estimated the net costs to the territory of establishing an organic waste collection system—that is, a third bin—at \$20 million per annum by the year 2021. These net costs consist of new bins and their collection, a facility to receive the third-bin material, remove contaminants and compost it, minus the savings associated with less material going to landfill. This indicates that a third-bin service for organic waste collection is a relatively expensive way to address household food waste which would not divert even half of the current amount of organic waste going to landfill.

In comparison, a material recovery facility for residual waste from households could recover nearly all—not just 55 per cent or 60 per cent but over 90 per cent—of all organic waste currently going to landfill. It could be collected through a materials recovery facility. It would also recover those current recyclables that are ending up in the current general household rubbish bin—plastics, glass, aluminium. We know these items are going into the general household rubbish bin, despite the very good recycling rates of Canberrans. So we would be able to capture those as well through a materials recovery facility. And those dry recyclables are about 15 per cent of the total in that waste stream. What is the cost of this alternative? The cost is only \$8.4 million per annum by the year 2021.

So there is the choice. You can have a third bin, which is going to cost \$20 million per annum in the year 2021 and it is not even going to capture 50 per cent of the organic waste stream that is currently going to landfill, or you can have a materials recovery facility that costs only \$8½ million per annum, less than half of the organic waste bin cost, and it collects over 90 per cent of the organics plus it collects more dry recyclables that we are currently missing. So why are the Liberals proposing to impose this cost on households when it is less cost efficient and does not even capture the same amount of waste as alternatives?

Let me turn to the Greens' position on this matter. At the very least, the Greens understand now that organic waste collection is more expensive and collects less rubbish. And I note that the Greens now are walking away and distancing themselves from their previous position that supported a third bin. At the very least, they have

clearly read the financial analysis and they have clearly read the greenhouse gas analysis and they understand that it is not as good as it first seems.

But let me address Ms Le Couteur's point about the relative benefits of education. The first point to make about that is that the assumption in Hyder is that there is an extremely high-level take-up improvement in household recycling in the home—that is, composting in the home—as a result of an education program. The assumptions are that in year 1 there will be a 20 per cent reduction in food going to waste, going to the rubbish bin. In year 2 there is an assumption there will be a further 30 per cent reduction. In year 3 there is an assumption it is going to be a 35 per cent reduction and in year 4 there is an assumption it is going to be a 40 per cent reduction. So there is an assumption that you are going to achieve somewhere in the order of a 60 per cent reduction in the amount of organics going into the household rubbish bin.

We are sorry but we just do not think that is realistic. We just do not think that is a realistic assumption. It is a very aggressive assumption. But even on those very aggressive figures, we are not getting the best outcome for the community. So we disagree with the Greens on that point.

But more importantly, I am surprised that the Greens are not taking the long-term view when it comes to the relative greenhouse gas emissions benefits of the different options. Ms Le Couteur says, "The education scenario is the best scenario in terms of greenhouse gas emissions in the year 2021." Yes, it is, but she does not mention the year 2035. In 2035 the best greenhouse gas emissions reduction outcome is through a residual waste MRF. In 2035 total greenhouse gas emissions minus greenhouse gas benefits is negative 52,000 tonnes. That is the best outcome. Compare that with education, which is only negative 38,000 tonnes, and a third bin, which is only negative 16,000 tonnes.

Ms Le Couteur often berates this government. She says it is not taking the long-term view on greenhouse gas emissions reduction and putting in place long-term strategies. There is your long-term strategy. The residual waste MRF is the most beneficial in terms of reducing greenhouse gas emissions, not the education scenario, not the third-bin scenario, certainly not the garden waste collection and certainly not business as usual.

Those are the facts. That is why this government's policy is a robust one and a correct one. With what we are proposing in terms of reducing the amount of organic waste going to landfill, our option—and that is food waste we are talking about here; we are talking about food waste, including wet waste such as meat products which, of course, cannot be composted easily at home; and many people are reluctant to do so, although I know some do—delivers the highest amount of yield in terms of diverting waste from landfill through a residual MRF and it does so at the best, realistic and achievable cost. It is less than half the cost of implementing a third bin and it collects over double the amount of organic waste that a third bin would collect. So that is why the government's waste strategy is the correct one, and we have backed it up with detailed assessments.

Those who argue for a third bin are going to have to explain to Canberrans why they are arguing for a more expensive option that collects less waste. And those that argue for an education-based approach first have to argue why they think that Canberrans are going to do something that no other metropolitan centre anywhere in the world has achieved in terms of the level of take-up of composting at home. In particular, they are also going to have to argue why things like meat and products like that should be composted at home, because that is the position if you want to argue an aggressive education campaign as the most cost effective option.

The government does not support Mr Coe's amendment. We do not support Ms Le Couteur's motion, for the same reasons. And the government will not be supporting this motion.

MADAM DEPUTY SPEAKER: Ms Le Couteur, are you speaking to Mr Coe's amendment?

MS LE COUTEUR (Molonglo) (11.39): I am speaking to the amendment but I am happy to close the debate as well if no other members have contributions.

MADAM DEPUTY SPEAKER: Yes, that is fine, Ms Le Couteur.

MS LE COUTEUR: First on the amendment: yes, the Greens will support Mr Coe's addition because, as he points out, a green organic bin was part of the Liberal Party's election campaign. That is factually correct; we could not oppose it. However, I would point out that in terms of more discussion, we are not supporting an organic bin as the first thing that should be done about waste in the ACT.

In that respect, I agree with the first part of Mr Corbell's speech about Mr Coe's amendment when he talked about the reasons why not. As Mr Corbell said, we actually have read the Hyder report at great length. It is clear that the organic bin is potentially a more expensive option. The Greens, of course, have always been optimists in terms of human nature. We actually have always very much believed in education approaches to solving problems.

As far as waste is concerned, we are looking not just at organics but in general. We very much believe in source separation, which is also one of the principles in the ACT government's waste strategy. Basically, almost anything is a resource, not a waste, if it is pure and concentrated in some particular aspect. If we are actually going to deal with our waste problems in the ACT and the world as a whole, we have to stop just putting all our waste in one bin and figuring that the problem belongs to someone else.

We have to start looking at our waste as a resource. Our waste is where we are going to get our resources for the future. This is particularly true with e-waste, which is one of the tragedies or scandals of the world. We are getting our electronic goods exported as waste to Third World countries where the valuable minerals in them are removed at huge environmental and human cost. We have to stop doing things like that.

One of the other things the Greens have been consistently supporting is collection systems for some of the toxic waste in the ACT. Batteries and fluorescent light bulbs are both toxics. Both of these currently go into our landfill bin. Both of these, under the scenario of the government, will go into the compost which is produced out of a dirty MRF. This is the sort of thing that means that the compost produced out of a dirty MRF will never, ever be a high quality product. It will always be something that no gardener, no farmer, would want to use on their soil. It will be something that will only be used for mine rehabilitation or possibly some forestry plantation.

The use of organic waste is something that Australia needs to pay even more attention to than other countries because Australia, as we all know, is an ancient continent and we have very poor soil fertility. People know that I have banged on a bit about peak oil. There is another peak that I could bang on about. That is peak phosphorus. It is believed that in about 30 years this is going to occur. Australian soils are very poor in phosphorus. If we do not start reusing the phosphorus in Australia we are going to have major agricultural problems even if nothing happens to our climate.

We have got to start looking at our organic waste as a resource, not as a waste stream. That is why the Greens want to see a source separation approach. The source separation approach which is modelled in the Hyder report is called education. What that is doing is educating people as to what you can do with waste, how you can reduce waste and how we can reduce the waste problem for the ACT. If we are ever to achieve the goal which the community signed on to more than 10 years ago of no waste by 2010, education has got to be a part of it.

I am very depressed to find that although Mr Corbell has spoken a lot about the virtues of education and how the government is committed to education, unfortunately the government is not committed enough to education to actually support it in a motion. Paragraph (2)(a) of my motion states:

commence an education program along the lines indicated in the Hyder report ...

The government has not committed to that. So I can only assume that the government is in fact not committed to putting any substantive additional funds into education. I think this is a real risk. I think the Hyder report has demonstrated that this is the most cost-effective thing for the ACT to do.

I agree that the Hyder report sees that from 2035 the dirty MRF is environmentally preferable to education. Mr Corbell, I did mention that in my speech. The reason Hyder found this is that the report assumed after four years the education scenario had no further gains and it assumed that total waste generation per capita would continue to grow, as would the number of people in the ACT. I think that these assumptions are not necessarily true.

There is no reason to think that after four years the people of Canberra have learnt all they possibly could learn about waste, that there will be no improvements in packaging and there will be no changes in waste generation—no positive changes in waste generation. I am not pessimistic enough to think that is true.

I also think that there is no reason to believe that waste generation per capita will keep going up. The government's own waste strategy says that they hope the rate of growth of waste generation will be less than the rate of population growth. But the Hyder report models it the other way around. You require that modelling of waste generation going up per capita to come to the conclusion that the Hyder report has come to, that by 2035 the dirty MRF is the best solution.

We think that what the government are saying in their actual strategy—that waste generation could possibly go down—hopefully is a realistic outcome. Therefore, the dirty MRF is not the environmental winner that the government is selling it as. I do acknowledge that the dirty MRF would probably be a better option than the current situation, except insofar as putting the capital in for a dirty MRF will commit the ACT to waste generation for a long time because if we do not keep generating a lot of waste you cannot run a dirty MRF in any way cost effectively.

That is one of the Greens' major problems with a dirty MRF. It commits us to not improving our waste situation. It commits us to not reducing waste. It commits us to not actually doing source separation. For these reasons, the Greens support Mr Coe's amendment and I commend the motion, as amended, to the Assembly.

Question put:

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

The Assembly voted—

Ayes 10

Noes 7

Ms Bresnan	Ms Hunter	Mr Barr	Mr Hargreaves
Mr Coe	Ms Le Couteur	Dr Bourke	Ms Porter
Mr Doszpot	Mr Rattenbury	Ms Burch	
Mrs Dunne	Mr Seselja	Mr Corbell	
Mr Hanson	Mr Smyth	Ms Gallagher	

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Tuggeranong Community Council

MR SMYTH (Brindabella) (11.51): I move:

That this Assembly:

(1) decries the attack on:

(a) members of the Tuggeranong Community Council by John Hargreaves, in the Legislative Assembly on 15 February 2012;

- (b) older Canberrans by John Hargreaves, in the Legislative Assembly on 15 February 2012, by using “geriatric” as a slur; and
- (c) volunteers by John Hargreaves, in the Legislative Assembly on 15 February 2012;
- (2) supports:
 - (a) all aged volunteers for the valuable services they provide in the ACT; and
 - (b) the Tuggeranong Community Council in all its endeavours;
- (3) notes that the Chief Minister of the ACT, Katy Gallagher, and John Hargreaves have only apologised to the President of the Tuggeranong Community Council for the comments made by Mr Hargreaves; and
- (4) calls on the Assembly:
 - (a) to require Mr Hargreaves to apologise to the Assembly for the comments he made about the Tuggeranong Community Council in the adjournment debate on 15 February 2012; and
 - (b) to request that Mr Hargreaves write to the members of the Tuggeranong Community Council to apologise for the comments which he made in the Assembly on 15 February 2012.

Madam Deputy Speaker, this is an important motion. It is important because members of our community have been insulted by a member of this place, and the comments that that member made still stand on the record. I believe that, where comments are made that (1) are untrue and (2) apparently no-one in this place but Mr Hargreaves, as the speaker, agrees with, we have an obligation that the record should be corrected. And not only should the record be corrected: an apology is required to this place for bringing the house into disrepute.

Mr Hanson interjecting—

MR SMYTH: Members, if you have not read your members code of conduct, it says under “Duties as Members”—

Mr Hargreaves interjecting—

MR SMYTH: It says:

Members should avoid any decision or action which may depreciate the reputation of the Assembly and endeavour to reasonably adhere to the Assembly’s code of conduct to ensure that their personal conduct—

MADAM DEPUTY SPEAKER: Mr Smyth, resume your seat. Mr Hanson?

Mr Hanson: Mr Hargreaves just interjected, saying: “I hope you’ve got some big brothers. You’re going to need them.” That seemed to be quite a threatening remark coming from Mr Hargreaves; I would ask him to withdraw that.

Mr Hargreaves: Madam Deputy Speaker, on that point of order, that was a response, a jovial response, to Mr Hanson’s interjection that my colleagues had deserted me. It was a nice light-hearted “banterous” exchange across the chamber. However, I have made a very big mistake in thinking that there was a sense of humour at play there. I apologise for that.

MADAM DEPUTY SPEAKER: Mr Hargreaves, are you therefore saying that you are withdrawing?

Mr Rattenbury: On the point of order, Madam Deputy Speaker, having observed this exchange, I simply rise to inform you that I think Mr Hargreaves’s analysis is correct. There was some banter going across the chamber, which was coming by smiles on both sides of the chamber. I think that context needs to be taken into account.

MADAM DEPUTY SPEAKER: Thank you, Mr Rattenbury. I did not hear the exchange at all. Mr Smyth, would you like to continue?

MR SMYTH: Thank you, Madam Deputy Speaker. It is interesting. If I smile and say, “I think you are a liar,” that is okay; but if I do not smile and I say, “I think you are a liar,” then it has to be withdrawn. It is an interesting standard we are slipping into, but it is part of a pattern of behaviour. If we want to throw things across the chamber like “I hope you’ve got big brothers; you’re going to need them”, we need to ask where we are going. That is why a floor has got to be put under this.

I cannot see how members could not reasonably agree with the motion. We have had some comments that nobody else in the place agrees to. We have had some comments that have seen phone calls made to the president of the TCC by Mr Hargreaves and by the Chief Minister. We have had a letter now written by the Chief Minister that says some interesting words but I do not believe that it apologises. Yet the behaviour goes on.

I got censured in this place for the tone of a press release—the tone of the press release. It was not the words; it was the tone of the press release. It is an interesting standard that we apply. I can understand it. We saw them at the Multicultural Festival—both sides under the same roof. There they were in the tent together. We understand that the coalition is working well on the far side of the chamber. But if we are to adhere to the code of conduct, and if we are to impress on the people of the ACT that we do believe in the code of conduct and that we actually live by it, there needs to be some consequence as a result of what happens.

That is the point of this motion. The motion is quite simple. Part (1)(a) says:

That this Assembly:

(1) decries the attack on:

(a) members of the Tuggeranong Community Council by John Hargreaves, in the Legislative Assembly on 15 February 2012 ...

I think we all agree with that. I do not see how people can disagree with that. I have not heard anyone say that he was right and I have not heard anyone say that they support him. Let us see if people actually believe what they say.

Part (1)(b) says:

(1) decries the attack on ...

(b) older Canberrans by John Hargreaves, in the Legislative Assembly on 15 February 2012, by using “geriatric” as a slur ...

Let us remember what he said, Madam Deputy Speaker. He said:

The shame of it all, however, Mr Speaker, is that he does go to that old persons club called the Tuggeranong Community Council; he sees both of the punters that go to that and then claims to have some sort of community connection with this geriatric mob who just sit in their place—both of them. It is just nothing but a self-help group, Mr Speaker. I would not feed them. I resigned from that lot. I will not go there, because they are a self-interest group and I would not touch them with a barge pole. I want the record to show that I would not touch that crowd with a barge pole, because they are nothing but the lackeys of Mr Smyth and his cronies and I do not want to know them.

He has resigned, and he has not been for years, so how would he know what the Tuggeranong Community Council are like these days? They have rewritten their constitution; they have a new president; there are a lot of active and interested people there; there are a number of subcommittees that do everything from planning to transport. They contribute to their community.

In terms of part (1)(b) of the motion, it is very important that we decry the attack on older Canberrans, using the word “geriatric” in the facetious, derogatory way that it was used. It is interesting that when you go to the dictionary and you look at the use of “geriatric” as an adjective, you see that it can relate to a medicine or it can be “facetious, derogatory, or offensive (of people or machines) old, obsolescent, worn-out, or useless”. If that is the view that the majority of members want to remain on the record as their view and the view of this place as to how we see the Tuggeranong Community Council and its volunteers, well, be that on your heads. But I will not have it on mine and the Liberal Party will not have it on theirs.

It is important that we foster communities in this place and that we foster people to feel that they should go to community councils and have their say. Otherwise, Chief Minister, pull their funding. We fund them. We fund all the community councils and it is a worthwhile objective to assist them in the way that they serve their community.

Part (1)(c) says:

(1) decries the attack on ...

(c) volunteers by John Hargreaves ...

All of these people volunteer—the president, the treasurer, the secretary, the vice-president, the chairs of the committee and the people who, every first Tuesday of the month, come to the community council regularly. Those people and those that come on an irregular basis volunteer their time and do the work. They go out and talk to their community. They put together a newsletter. They attend stalls. If the event had not been rained out this year, they would have attended and staffed the stall at the Tuggeranong community festival. They do that so that they can be in touch with their community. They should be congratulated. The slur should go.

Part (2)(a) says:

... supports:

(a) all aged volunteers for the valuable services they provide in the ACT ...

Here we are as a country saying: “We are not going to let you retire, folks. We are all going to work a bit harder and a bit longer, and we are all going to volunteer a bit longer because we want your expertise, we want your skills and we want your knowledge.” But we attack them in the ACT Assembly. And then the members of this place will not stand up for those aged volunteers in our community. Well, they should.

Part (2)(b) says:

(2) supports ...

(b) the Tuggeranong Community Council in all its endeavours;

I do not agree with everything that they determine, but we should agree to their right to exist and we should agree to the right to support them. We should not be calling them a bunch of punters that go and claim “to have some sort of community connection with this geriatric mob”. We should not be saying:

It is ... a self-help group ... I would not feed them ... they are a self-interest group and I would not touch them with a barge pole.

They are none of those things. If Mr Hargreaves had bothered to attend recently, he would know that they are none of those things. And I do not believe that at any time they have been any of those things in all the 17 or 18 years that I have been attending the Tuggeranong Community Council.

Part (3) says:

... notes that the Chief Minister of the ACT ... and John Hargreaves have ... apologised to the President of the Tuggeranong Community Council for the comments made by Mr Hargreaves ...

I understand that there were phone calls. Well and good. But it was not just Mr Johnston as the president who was insulted by this. There has been a letter in the *Canberra Times* and I know there are emails going around between the members of the council who are, quite frankly, outraged that they would be spoken of in this way and incredibly disappointed that the Assembly is willing to leave a man who believes in that uncensored and in a position of authority in the Labor Party. He holds a position of authority responsible for discipline, but apparently the majority of members in this place think that that is okay.

What does this motion ask for? What this motion asks for, first and foremost, is that Mr Hargreaves apologise to the Assembly for the comments he made. They are just not true. Whether they are geriatric or not, it does not matter. They are not a self-help group; they are not a self-interest group. They are a group that the Chief Minister is about to meet, and meets with on a regular basis, because they are worthy of meeting with. They are a group whose meetings every group from Roads ACT to planning, Policing and any number of business groups have attended to seek their counsel and to disseminate information. On a regular basis, ACTPLA representatives or Roads ACT representatives are there to garner the opinions of those people on the council.

Either we do respect them or somebody is paying lip-service here. If the government do not respect them, if the members of the Greens and the Labor Party do not respect what goes on there, they should not vote for this motion. But it is appropriate that we get an apology and we get a correction so that those that read the *Hansard* in future know that we did not vote for those words, we do not believe those words and we do not endorse those words.

Those words are shameful. There was no call for it. If you want to present a cogent case, give us some examples of these things. If you have had problems with an individual or two on the council beforehand, that is your problem; go and sort it out. To slander the council in this way is scandalous. It dishonours us in this place because it uses privilege to put on the record things that simply are not true. It is reprehensible. It is appalling that we have to come back to this motion today to try and get an apology for the people of Tuggeranong and their representatives, the Tuggeranong Community Council.

This requires Mr Hargreaves to apologise to the Assembly for the comments he made. It then requests that Mr Hargreaves write to the members of the Tuggeranong Community Council—not just ring the president but write to the members and apologise.

If you quickly read the letter that the Chief Minister wrote, you would think it was an apology. But it is worth reading the letter that the Chief Minister wrote, which has been forwarded to all members of the Tuggeranong Community Council. It says:

Dear Mr Johnston

Thank you for your letter of 16 January 2012 and taking my phone call regarding comments made by Mr John Hargreaves MLA in the Legislative Assembly on 15 February 2012.

I understand your disappointment and the concerns that you have expressed on behalf of the Council. The ACT Government does not share the views expressed by Mr Hargreaves and I have spoken to him this morning and told him so.

I understand that Mr Hargreaves has also rung you to explain his comments about the Council earlier today.

As I said to you and in the Assembly this morning, I value both your personal commitment and the Council's active role in the Tuggeranong valley and on matters of interest across the ACT. We have developed a strong relationship over the past few years and I know that you also work well with other MLAs as well as the local Federal member, Gai Brodtmann.

I look forward to continuing our working together on issues around Tuggeranong and its residents, and I look forward to our meeting on 1 March 2012.

At first blush you might think that that is an apology. It is actually not an apology. It is certainly not an apology to the members of the Tuggeranong Community Council. I cannot see what is so wrong that people are so concerned at having an apology here. It is quite reasonable, given the code of conduct, that we do not bring this place into disrepute and "depreciate the reputation of the Assembly", that we use privilege properly, and that we use the forms of debate that we have properly. And if we get something wrong—let me read it again. He says "that old persons club"—it is not an old persons club—"called the Tuggeranong Community Council". He says he sees "both of the punters". If Mr Hargreaves came to the meeting, he would know that there are more than two people there. On some nights Ms Burch, Ms Bresnan, Mr Doszpot and I are there, so there are at least four old punters. I do not know how Ms Bresnan feels about being an old punter, but if she wants to let that stand that is up to her.

Mr Hargreaves says they "claim to have some sort of community connection with this geriatric mob". The term "geriatric mob" is something that none of us should allow to stand. We should respect the older members of our community; we should support the older members of our community. I would expect the member for older Canberrans to help remove this slur from the record. Mr Hargreaves says:

It is ... nothing but a self-help group ...

There is another slur: "It is ... nothing but a self-help group." What is wrong with self-help groups? There is nothing wrong with self-help groups. No matter where you go, no matter what you read, you see it. He says it is a self-interest group. I do not know too many volunteers who go to something like the Tuggeranong Community Council who think it is about self-interest. They are there representing their community, and they do a good job. People here might like to get involved with a self-help group.

Mr Hargreaves says:

... I would not touch them with a barge pole.

Whether you want to touch them with a barge pole or not does not mean that you have to treat them in this dreadful way. It is very sad that we are at this point.

It is a very simple motion, Mr Speaker. It calls for two simple things. Mr Hargreaves should apologise to the members of this place for his behaviour on the night of 15 February and for the words that he said that are clearly untrue. Nobody in this place believes it. Nobody has supported his words. He is the only one that has said words like this about the Tuggeranong Community Council and he is the only one who believes them to be true.

Let us have the apology and the correction. Then I think it would be appropriate to write to the Tuggeranong Community Council to apologise for the comments that he made. If you make scandalous statements like that in public, you should have the courage to apologise. If he had the courage, he would go and front the council on, I think, 6 March and apologise in person, but if he does not have that sort of courage he should at least be required to write a letter apologising so that we can put a floor under this, so that we can end this matter and say to everybody who is interested in working with the community council that we as an Assembly value them.

MR HARGREAVES (Brindabella) (12.07): Last Wednesday evening I was subjected to the usual barrage of catcalls from those opposite during a debate on Tuggeranong. Foolishly, Mr Speaker, I rose to their bait and returned fire, and I apologise to the Assembly for doing so. In returning fire, I made comments about the Tuggeranong Community Council which caused offence to the council. I have spoken to Mr Johnston, the president of the council, and written to him. In that conversation and in my letter I extended my apology for that offence, but I neglected to extend that apology to the wider council. I would like to publicly do so now.

Mr Speaker, I believe some history and context is required about now. At the time of making my comments, I had a view about the council which has since changed dramatically as a result of my conversation with Mr Johnston. Three years ago, roughly, there was a coup to change the executive of the council. The people behind that coup were the same people who had delivered threatening and abusive emails to me over a period of years—

Members interjecting—

MR SPEAKER: One moment, Mr Hargreaves. Stop the clocks. Members, I take this opportunity to reflect on the fact that Mr Smyth was heard in silence. Mr Hargreaves.

MR HARGREAVES: Thank you very much, Mr Speaker. I will start that piece again. Three years ago, roughly, there was a coup to change the executive of the council. The people behind that coup were the same people who had delivered threatening and abusive emails to me over a period of years concerning the issues of Karralika and the

gas powered data centre. Indeed, one of those people physically threatened me during the course of the 2008 election campaign at the Kambah and Calwell shopping centres.

I know Mr Smyth stoked those people over these issues and that Mr Smyth was behind much of the nastiness in the coup to change the executive of the council. My failure was to react to his baitings and those of his colleagues. I reiterate my apology for that reaction to the Assembly and to my colleagues particularly.

I would also like to reiterate my apology to the council. My conversation with Mr Johnston revealed that those people with whom I have had such distasteful dealings are no longer part of the executive. The council has sharpened its focus on specific issues and broadened its base in terms of connecting with the Tuggeranong community at large, and I congratulate Mr Johnston and the executive on this.

Just one small departure from my prepared speech—Mr Smyth says that if I went to the council meetings I would be able to see this. I was a member of the council for 20 years before not renewing that membership. Also, in the recent year or two, the meeting times have changed from a Thursday evening to the first Tuesday in the month. I have had a commitment for the first Tuesday in the month since 1988, so that clash prevents me from doing anything other than discharging that 1988 commitment.

Mr Speaker, the real motivation for this motion is not the confected outrage of those opposite. I know Mr Smyth has not spoken to Mr Johnston. He has not spoken to him. This motion is all about creating a smokescreen to shield Mr Seselja and the Liberal MLAs from the blowtorch of community scrutiny being directed at them now. It is all about diversion. It is all about creating another target.

This Assembly has experienced a new paradigm, a new orthodoxy. This Assembly has seen an attempt from this side of the chamber and from the crossbench to create a chamber where there is a contest of ideas and not a combative and abusive chamber for personal attack. Mr Speaker, I have recognised this new paradigm and tried to go with it. My reaction to the abuse of those opposite last week was a lapse into the old paradigm and the old orthodoxy. I apologise for that lapse into the old ways. We all have our challenges, but at least I recognise mine. I doubt that those opposite actually recognise a new paradigm let alone embrace it.

We have seen no contest of ideas. The government and the crossbench have put forward real policies and ideas for debate, but those opposite have merely been spoilers and nay-sayers. Theirs is the battleground of the gladiator, not the incubator of ideas.

I have actually done that which the original motion wished, but I cannot support such a blatant piece of political opportunism. Mr Smyth's exploitation of the council is to be regretted. He could have spoken to Mr Johnston, as, indeed, I am aware the Chief Minister has, Ms Bresnan has, I have and Minister Burch has. We have all had the opportunity to have a conversation with Mr Johnston. But Mr Smyth comes into this chamber without having done so.

Mr Speaker, I have made my apologies for the lapse, and my apology to Mr Johnston has been accepted. Courteous people move on.

MS BRESNAN (Brindabella) (12.12): Ms Burch has circulated some amendments. I know she will be moving them later, but the Greens will support those. I stand by the comments made last week in regard to censuring Mr Hargreaves. Mr Hargreaves chose to make comments about the Tuggeranong Community Council, and they are not comments I share, nor do other members. I reiterate: to put forward the argument that because we did not support the censure we are therefore condoning the comments is completely incorrect. I go along to those meetings; I am a regular attendee at Tuggeranong Community Council meetings, as are other members at other community council meetings across the ACT. Ms Le Couteur is probably the most regular attendee of any community council meetings, in fact. To say that we then condone these comments is completely incorrect, and the other members know that.

With respect to Mr Smyth's motion, I do not believe at all that Mr Hargreaves was seeking to slur older Canberrans by what he was saying. I am not wanting to be flippant when I make these comments, and I am not fully aware of Mr Hargreaves's age, but he has mentioned to me that he is in the realm of seniors and older people. Again, I am not wanting to be flippant by making that comment, but I do not believe in any way that what Mr Hargreaves was saying was slurring older people. I have seen Mr Hargreaves at events where there are older people, including the launch of the 55 Plus Club at Tuggeranong, which Ms Burch, Mr Hargreaves and I were all at. I know you have been a great supporter of that club over the years and you have been a key driving force of actually getting that club established. I think that should be noted. That does not show disrespect for older Canberrans at all.

I know Mr Hargreaves has spoken in favour of volunteers on a number of occasions here. Again, I do not believe at all that the comments were seeking to slur volunteers in any way. The Chief Minister has apologised and spoken personally to Darryl Johnston, as has Mr Hargreaves. I know that has occurred. Yes, I recognise the fact that that is not the whole council, and Mr Hargreaves has apologised today to the whole of the council. But the president is the spokesperson and the representative of the TCC. I speak to Mr Johnston regularly when I am speaking about Tuggeranong Community Council events or wanting to have items published in the newsletter and the like. That has to be recognised.

I note on this point that Mr Johnston has said to me that he needs to present the letter to the executive, and I imagine this would be the same for any correspondence. But the letter from Mr Hargreaves will be presented to the TCC executive and then to a general meeting where the members will accept or reject the letter. This will determine whether or not they think further redress needs to be undertaken. I think we should be respecting those processes.

I sent a copy of Mr Smyth's motion to Mr Johnston. He had not seen the motion at that stage. As I said, Mr Johnston is the TCC president and spokesperson. He is the person that the media speak to when they are seeking TCC comment. He should have been informed about the motion and its content at the very least to see if this is

something that Mr Johnston as the TCC representative was seeking and wanted to occur.

As I said last week in relation to the censure motion, it is up to all of us to lift the standard of what is said in the Assembly. There have been some fairly inappropriate comments made about public servants during debates. They are people who cannot come in here and address those comments. I make the point again that I made last week where Mrs Dunne came down in the adjournment debate before the last federal election and made some very inappropriate comments about Mr Hargreaves's wife. Understandably he got upset about those comments, as I would have, too.

There is a slight tinge of hypocrisy happening here today in that we quite often talk about the standard of debate. We are talking about members of the public here and I know that is a difference, but some comments are swung across the chamber made to and about other members, and that does nothing to raise the standard of debate in the chamber. That is something we should all recognise.

I would also like to make the point that after the adjournment speech by Mr Hargreaves last week, Mrs Dunne actually got up and asked the Assembly to extend the time for Mr Hargreaves to speak and had a bit of a laugh about it. That point needs to be made. There was also a fair amount of baiting, as Mr Hargreaves said, from other members. I do not think anyone is innocent in what happened last week when we are talking about the standards.

Mr Hanson: Tut, tut, tut.

MS BRESNAN: Well, you might "tut, tut, tut", Mr Hanson, but that is actually what happened.

Mr Doszpot: No, he was tut-tutting at something that—

MS BRESNAN: Well, I am just making that point, thank you, Mr Doszpot. I thought we would be treating this seriously today, so that is what I am talking about now.

Community councils are an important forum at which the community can raise concerns and discuss matters. The TCC has been this for government and organisations to facilitate and seek debate. I have been to a number of those meetings where people have spoken and debate has ensued. They are an important forum for that. I also note—I will probably get shouted down for this—that it is important that community councils are representative of their community and express the variety of views the community have.

The TCC have always been very respectful of people's views at any of the meetings I have been to. They have also been very respectful to all the MLAs that have attended, and that is with Darryl Johnston as president. As I said—and I said this in the censure debate, too—he has instituted some excellent processes for the council. They have a very strong constitution and also respectful meeting procedures. That is an excellent thing that has been instituted. All members of the Tuggeranong Community Council should be congratulated on this, because they are changes that all members have been a part of and have instituted.

I know it is going off the topic as such, but I have to address the comments Mr Smyth made in his speech that because Labor and the Greens had their stalls next to each other at the Multicultural Festival it is a sign of some sort of conspiracy. Well, on the Saturday Labor and Liberal had their stalls close together, and I saw Mr Coe and Dr Bourke handing out balloons together. I do not know if that is a sign of some conspiracy. And on the Sunday all our stalls were together in the same row—Liberal, Labor and Greens. Probably all that is the sign of is the fact that the organisers thought, “Why don’t we just put all the stalls for the political parties together?” That is probably all it actually was, so there was no actual real conspiracy there.

Mr Hanson: Is this relevant to the debate?

MR SPEAKER: Mr Smyth introduced the topic, Mr Hanson.

MS BRESNAN: Indeed, he did introduce the topic. As I said, we will be supporting the amendments that Ms Burch will be moving. I will be at the next Tuggeranong Community Council meeting, as I have been at other meetings. I think I have only missed a couple of meetings due to various circumstances. I will be happy to address any concerns they have about why we did not support the censure motion and why we will support Ms Burch’s amendments today.

I reiterate that I do not share the comments Mr Hargreaves made. I do not believe anything we have done condones those comments. I know Mr Smyth will be presenting another argument—quite often, I imagine—but we do not condone them at all. As I said, I will be at that meeting and will be happy to address that, just as I am happy to address any concerns that come up at Tuggeranong Community Council meetings whenever I can.

MR HANSON (Molonglo) (12.21): Let me make the point at the outset that what Mr Hargreaves did was to cross a line. We all understand that there is rough and tumble in this place. We are political adversaries. We will attack each other, which is the standard form of any political party and individuals. We oppose each other, there will be jibes, and that is the rough and tumble that we all expect and we all understand within a Westminster parliamentary system.

But Mr Hargreaves crossed the line when, as he just said in his speech, in responding to the Canberra Liberals—in attacking the Canberra Liberals, as he is saying—he essentially used the Tuggeranong Community Council and its members as his weapon. So he did not go after Mr Smyth. In actual fact, if you read Mr Hargreaves’s speech, he praised Mr Smyth. He said:

I will say something about Mr Smyth. We have been combatants and foes across the field for a decade and a half. I will pay respect to Mr Smyth: he has been a very good advocate for our electorate; I will say that. The shame of it all, however, Mr Speaker, is that he does go to that old persons club called the Tuggeranong Community Council ...

We have just heard Mr Hargreaves in this place say that his whole motive for attacking the Tuggeranong Community Council was not because of a problem with

the community council but a problem with the Liberals. That was his excuse—that he was really attacking Mr Smyth. That is what Mr Hargreaves said. But that is not true, because, when you read what he said on the Wednesday night, the first words out of Mr Hargreaves’s mouth were to praise Mr Smyth. He came in here and praised Mr Smyth and then what we saw was an outpouring of bile directed at the Tuggeranong Community Council—and it had nothing to do with the Liberal Party, absolutely nothing. It was a vindictive attack on a community organisation.

Mr Smyth has told us what Mr Hargreaves said. He has shown us that the word “geriatric” was used and he has quoted its meaning from the dictionary: derogatory or offensive, old, obsolescent, worn out or useless. So when Mr Hargreaves stands in this place, as he just did, and tries to con everybody that this happened because he was so upset at the Liberal Party and therefore that, accidentally almost, in his state, he attacked the Tuggeranong Community Council but is very sorry for that, that is not true. Read the *Hansard*. There is nothing to do with the Liberal Party here. This is all to do with the Tuggeranong Community Council and the fact that Mr Hargreaves decided to attack a community organisation in a most vile and disgusting manner, in an inexcusable manner.

We had not seen an apology until today. It has taken a week before Mr Hargreaves has apologised publicly for this. And we still have not seen an apology from the Chief Minister. We have seen a letter from her, which says that she supports the community council, but there is no mention of an apology in there. So there is no apology from the government, and this is the first time I have heard any form of apology from Mr Hargreaves. And well he might apologise, because what we are seeing is hypocrisy from this government and from this government member.

Yesterday Joy Burch stood up here, tabled the report from the Older Persons Assembly and talked about the need for more respect for older people—more respect. The government are going to tell schoolchildren to be more respectful of older members, while Mr Hargreaves was in the chamber slagging off at older Canberrans and using a derogatory term to attack community organisations.

We have seen Labor policies—you can go back to the election in 2008, look at their website and see what they had to say—about older Canberrans and what they were going to do:

The Canberra community is ageing faster than most Australian cities. That is why ACT Labor is building a city for all ages, a city that extends to every Canberran an opportunity to be fully engaged in the life of the community, whatever their age and whatever their capacity.

But it seems that that is unless you are in the Tuggeranong Community Council. So it seems that “whatever their age, whatever their capacity” they should be “fully engaged in the life of the community”—unless it is the Tuggeranong Community Council.

You can go through the hypocrisy of the government’s statements in their press releases, which stand in direct contrast to the actions of Mr Hargreaves in this place

where he came in, in the most cowardly way, and attacked volunteer members of the community.

Go to the Tuggeranong Community Council website—the organisation has been around since 1983—and see what it says. It says that it is a council and it is non-political. We have heard some outrageous allegations from Mr Hargreaves that somehow this was a politicised organisation. He has got absolutely no evidence or proof of that and they are outrageous comments that are a slur on those community members. He is too cowardly to come out here and present any evidence, because there is none. It is a peak organisation of members—a wide range of residents—from the Tuggeranong valley.

Mr Hargreaves: A point of order, Mr Speaker.

MR SPEAKER: Yes, one moment. Stop the clock, thank you.

Mr Hargreaves: Sorry about that, Mr Hanson. Your guidance, Mr Speaker: Mr Hanson just said that I was too cowardly to do something. I wonder if that is parliamentary.

MR SPEAKER: I believe the practice of this place is that it is not, so I would invite you to withdraw that, Mr Hanson, and rephrase the comment you wish to make.

MR HANSON: On the point of order, I have regularly heard the terms “cowardly” and “cowards chamber” used. I think that it is regularly used as a form of expression about people who are prepared to say one thing in this place but not outside. Saying that somebody is behaving in a cowardly fashion is not something that has been called on to be withdrawn before.

MR SPEAKER: I can show you the list where it is on.

MR HANSON: Is it in there?

MR SPEAKER: Yes, it is on the list.

MR HANSON: All right. If it is, Mr Speaker, I withdraw.

MR SPEAKER: Thank you. I think there is a difference between describing the Assembly as a cowards castle, as has been suggested sometimes recently, and ascribing it to an individual. I think that is the distinction.

MR HANSON: I am happy to withdraw it. I will say that it was a shameful act and I think that Mr Hargreaves has behaved shamefully.

The community council’s members are drawn from permanent residents of Tuggeranong. They are elected by the community, they are members of the community and they represent the community. And we are not just talking about one individual here; this was directed at all the members of the community council.

It affects us here as members, because the community will rightly question what the members of this Assembly think and will do when an MLA comes in and has a spray at a community organisation. If we do not respond here—and we have tried to respond before—in an appropriate manner, the community will rightly say: “Do they endorse this? Don’t they think John Hargreaves should apologise? Do they think it is all right that he can come in and make such a vile comment, attack a community organisation and then not apologise? Does Amanda Bresnan not think that John Hargreaves should apologise for this? Does Joy Burch not think that John Hargreaves should apologise for this?” These are the questions that the community will raise.

This is not an isolated incident. We have seen a pattern of behaviour here from John Hargreaves. We have seen sexist attacks on Mrs Dunne. We have seen in the news issues with Ms Bresnan. Remember? He was sacked as a minister on a couple of occasions. And it is fair to say that we have seen erratic behaviour from Mr Hargreaves in this place on frequent occasions, and we have excused that perhaps; we have seen that it was not affecting the community. He would come in here and behave erratically, particularly late at night, and we on this side have ignored that.

But when it affects the community, when it is no longer about us, when it is erratic behaviour that is not directed at us but behaviour that flows into members of the community, that is the time that we, quite rightly, should stand up and say: “Enough is enough. You cannot come down into this place late at night and in an erratic way start spraying at members of the community.” And if anybody thinks that that behaviour is acceptable, they need to stand up here and say so, because what Mr Smyth has put forward is a quite reasonable motion that calls on Mr Hargreaves to apologise to the Assembly, because if he does not apologise to us he is essentially saying—

Ms Burch: He just did.

MR SPEAKER: Thank you, Ms Burch. Order!

MR HANSON: This is about what the motion is asking him to do. Ms Burch, if you think that it is okay, you will not be moving the amendments that you have circulated, because that is all Mr Smyth is asking Mr Hargreaves to do. There is no requirement therefore for amendments, because what we are asking him to do is to apologise—Ms Burch has said that he just did and therefore she thinks that that is okay, so that will stand—and to write to the members of the community council to apologise. It is good enough for the Chief Minister to write to the community council. Why isn’t it good enough for Mr Hargreaves to write to the community council?

Mr Hargreaves: I did.

MR HANSON: I think what we are asking him to do is eminently reasonable, so I do not understand—

Mr Hargreaves: Wasn’t listening.

MR HANSON: Well, if he has, good. If he has apologised and he has written, I do not see why we will have any amendments moved here, because essentially you would be saying, “We don’t want him to do that, although he already has.” That seems a bit bizarre. But the government and maybe the Greens would be asking him to withdraw.

What is the impact of this? What are people going to say about our actions here today? We have an opportunity to restore some credibility to this place that Mr Hargreaves has taken away and we can do that by calling on him to apologise, to say that we think that is what he should do. We should call on him to write the letter to apologise because we think that is what he should do. They are quite reasonable, moderate, considered actions.

Anyone in this place that says, “No, we don’t think Mr Hargreaves should be required to do that,” is, in essence, condoning his behaviour and saying, “No, you can come in here, you can spray a community group and we are not going to do anything about it.” And that perhaps is a different standard from those on this side, because we will not come in here and attack community groups.

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 12.32 to 2 pm.

Questions without notice

Hospitals—women’s and children’s

MR SESELJA: My question is to the Minister for Health and relates to the women’s and children’s hospital. In the *Northside Chronicle* on 27 July 2010 you stated that the new building would be constructed and functional before the end of 2011. In a media release dated 7 February this year you stated:

The new building under construction will open mid year as a fully functional Women’s and Children’s Hospital.

Minister, how can ACT residents trust you that the women’s and children’s hospital will be functional “midyear”, when you previously stated that it would be functional by the end of 2011?

MS GALLAGHER: I thank the Leader of the Opposition for the question. The people of Canberra will judge us on what we have delivered, and we have delivered. Everyone who has been out to the Canberra Hospital recently will have seen how fantastic that building is looking—the only, and the first, women’s and children’s hospital in Canberra. And we will have delivered it. It was our idea, as opposed to any policy initiatives that have come out of the opposition in the entire term of this Assembly, of which there have been none that I can recall, whilst we are completely redeveloping the health system. We are building new community centres, new hospitals—

Mrs Dunne: A point of order, Mr Speaker.

MS GALLAGHER: You don't like this, do you?

MR SPEAKER: Order! Mrs Dunne?

Mrs Dunne: The standing orders say that the minister in answering the question should not debate the question, should answer it directly and it should be directly relevant. The question was: how can ACT residents trust that the women's and children's hospital will be functional midyear?

MR SPEAKER: On the point of order, Mrs Dunne, I think the challenge on a question like this is that it is obviously a political as opposed to a factual question. I think that invites the minister to make the comments that she is making. So in light of the question, there is no point of order at this point. But let us focus on the facts of the matter.

Mr Hanson interjecting—

MS GALLAGHER: Thank you, Mr Speaker.

Mr Hargreaves: On a point of order, Mr Speaker, in the interjection from Mr Hanson he accused the Chief Minister. He said, "You've already broken a promise once." I would ask him to either withdraw that or come forward with a substantive motion.

Mr Hanson: On the point of order—

Members interjecting—

MR SPEAKER: Order! Mr Hanson has the floor.

Mr Hanson: I stand by that assertion because the Chief Minister promised a certain date by which the facility would be open and that did not occur. Therefore that was a broken promise. I stand by that. If the Chief Minister or the government require me to move a substantive motion, I will.

MR SPEAKER: Let us continue with the answer to the question. The Minister for Health has the floor. There is no point of order.

MS GALLAGHER: The women's and children's hospital will provide women and children in the ACT with, when it is fully operational, a 146-bed specialised facility, a new neo-natal intensive care unit, a new paediatrics unit, new gynaecology areas, new outpatient areas, new labour, birthing and delivery suites. We are moving the birthing centre from three units to five. This is—

Mrs Dunne: It should be there now, though, shouldn't it?

MS GALLAGHER: Thank you, Mrs Dunne. “It should be there now.” Well, you can just fast-forward and do this, can’t you? The issue, as you would know, as many large construction projects have been affected, is that there have been some significant impacts on time. The weather has certainly played a role, as has getting a skilled workforce for the particular jobs that are required on a project of this size.

The advice to me at the time that I made the comments was that it would be finished at the end of 2011. But I have been up to date and clear with people, as delays have affected this project, on the completion date. The advice to me at this stage is that it will be operational in the first half of this year, for women and children. As opposed to the Liberal Party, that blows up hospitals, we actually build them. You blow them up; we build them.

MR SPEAKER: Mr Seselja, a supplementary question.

MR SESELJA: Minister, have ACT women and children been negatively impacted by the delays under your government in the construction of this facility?

MS GALLAGHER: No, they have not, because women and children have been dealt with by the extremely highly professional staff that currently operate the women’s and children’s unit at the Canberra Hospital. What we are talking about is improving on that. They get excellent care there, absolutely excellent care at the Canberra Hospital, but they are going to get access to better facilities: better facilities for staff, better facilities for children, better facilities for neonatal and better facilities for families.

They will be dealing with 80 per cent single rooms, to reduce the risk of infection. Nowhere else have we been able to provide that level of amenity so that families can stay with their children. Partners can stay together whilst they are caring for children. This is a big project. We want to get it right. That is why we have increased the scope. That is why we have made sure we have put in sensible additions like a burns bath for children. All of the things that the Liberal Party opposed, all of the things that they complain about, we are building for women and children here in the ACT.

Members interjecting—

MR SPEAKER: One moment, Ms Gallagher. Stop the clock. There is a high level of interjection going on. The minister is answering the question. I expect to be able to hear her.

MS GALLAGHER: I have finished, thank you, Mr Speaker.

MR HANSON: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, do you take any responsibility for the delays in the construction of this facility?

MS GALLAGHER: I take full responsibility for the fantastic new women's and children's hospital that will be completed in a couple of months. I am sure the Canberra community will have their view on that when they get in and have a look at just how fantastic it is. And do you know what I guess? I have a sneaking suspicion that Mr Hanson might be busting with excitement to get to that opening, to be out the front to associate himself with a project that he has had absolutely nothing to do with but bag it from the beginning.

MR HARGREAVES: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: To the Chief Minister: did the government get unanimous support from this chamber for the budget provision for the women and children's hospital?

MS GALLAGHER: I think we had the Greens' support and I think, as usual, we have had opposition for opposition's sake.

Mr Hanson interjecting—

MS GALLAGHER: We will see you there at the opening, with your big grin, no doubt trying to get a photo with a nurse in uniform for your new newsletter or something. We will wait for that. We look forward to it. But, yes, I will be there, reminding people that you voted against it. You voted against women and children having access to the best facilities that a hospital could provide.

Opposition members interjecting—

MS GALLAGHER: There is the Liberal Party opposing it, and there I will have all the media releases you have put out bagging the project. There it is, Mr Hanson, on the record: absolutely no policy from the shadow health spokesperson for, what is it now, nearly 3½ years—no ideas, no vision. And whilst you are there doing that, we will get on with building and reshaping the entire system.

ACTION bus service—network

MS HUNTER: My question is to the Minister for Territory and Municipal Services and is in regard to bus services. Minister, Crace has been marketed by the government as a sustainable suburb and close to the city. Given this and the fact that it is on the Barton Highway on the way to Nicholls and Hall, what is being done to establish sustainable travel patterns early in the occupation of the new suburb, especially considering that the population is now approximately 500 and growing daily?

MS GALLAGHER: I am just trying to recall the last brief I saw on this. My recollection is that there are some changes to the network which will become operational in about May this year, and I believe Crace is one of the suburbs that will be involved with some of those changes. I am happy to bring that back to the

Assembly, but, yes, we are conscious that, as we grow Canberra and suburbs come online, we need to provide adequate bus services. It is a challenge as our network grows and with some of the issues around cost, but I will bring that back to the Assembly by the end of question time today, because I am pretty sure Crace is one of those where there will be changes in that part of Canberra.

MR SPEAKER: Ms Hunter, a supplementary question.

MS HUNTER: Yes. I was also wondering whether there were any school-dedicated bus services into Crace at this time and how many services are actually going into or near the suburb.

MS GALLAGHER: I will have to take that question on notice.

MS BRESNAN: Supplementary question, Mr Speaker.

MR SPEAKER: Supplementary, Ms Bresnan.

MS BRESNAN: Minister, given that the residents of Hall have been waiting for a public transport service for many years already, what priority will be given to adding a bus service to Hall?

MS GALLAGHER: Sorry, was that “to Hall” at the end?

Ms Bresnan: Yes.

MS GALLAGHER: I do not think there are immediate plans to provide an ACTION bus service to Hall, or not that I can recall. We are making some changes to the network operation in May this year and there are some additional plans about network 13. I am happy to take that on notice but I do not believe that we are looking at providing a bus service to Hall at this point in time. I think we have quite a number of challenges providing bus services around the ACT at this point in time.

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Who currently provides bus services to Hall and at what cost to the ACT taxpayer?

MS GALLAGHER: I will take that on notice.

Health—general practitioners

MR SMYTH: Mr Speaker, my question is to the Minister for Health and is in reference to the *Report on government services 2012*. Minister, the report shows that the Australian government real expenditure on GPs per person in the ACT decreased from \$219 in 2006-07 to \$211 in 2010-11. Minister, given that the number of GPs per person in the ACT also decreased during that time, why have you failed to

successfully advocate to the federal government for increased spending on GP services in the ACT?

MS GALLAGHER: I have not. The answer to that is that I have convinced the federal government to increase spending on GPs in the territory. That is exactly what—

Mr Smyth interjecting—

MS GALLAGHER: That is around Medicare rebates essentially, Mr Smyth. As you understand, as you well know, and as Mrs Dunne confirmed last week, it is a matter entirely within the area of commonwealth responsibility. But your question was different, Mr Smyth. Unlike you, we actually listen to the questions and then try to be helpful and answer them. We know that you have already written your answer. We already know that. You have written what answer you would like me to give. But your question is wrong. We have had increased spending. The increased spending is going into GP training places in the ACT. They have been doubled—to actually train the workforce, a local workforce, so that it is sustainable into the future. And the other area is in a GP superclinic.

If we were able to have question time for the opposition, it would be: what single thing have you done to lobby the commonwealth? Have you done a single thing? Have you written a letter? Have you lobbied Gary Humphries? Have you done anything? I am not saying that it is your fault; I am asking what the opposition has done. It is very easy to come in here and throw stones.

Members interjecting—

MR SPEAKER: Ms Gallagher, one moment, thank you. Members! Ms Gallagher, it is not to challenge the opposition necessarily in your response. And, members, the opportunity to ask supplementary questions will come shortly.

MS GALLAGHER: Thank you, Mr Speaker. We do not walk away from our responsibilities, but I am just drawing to the Assembly's attention that every member in this place has responsibilities. Mr Hanson has been sitting in the health shadow's chair now for nearly 3½ years. What has he done? Has he had a meeting with the federal health minister? Has he sought anything? I would suggest that you have done nothing.

Mr Hanson interjecting—

MS GALLAGHER: If you have, it has not had any impact.

MR SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: A supplementary, thank you, Mr Speaker.

Mr Hanson interjecting—

MR SPEAKER: Order! Mr Smyth has the floor.

MR SMYTH: Minister, the report also shows that the proportion of people delaying or not seeing a GP in the ACT, due to cost, almost doubled between 2009 and 2010 and is the highest in the nation. Why have you failed to address this issue in the ACT or with your federal colleagues?

MS GALLAGHER: We have not. We have funded a program of \$12 million going in to support general practice and we have opened the walk-in centres. That is precisely to deal with cost issues for families for GP-type presentations or for presentations of lower acuity. That is exactly what the ACT government have done. Based on some of the data that we have seen, we are looking to expand that model out into the community so that families in the north and south of Canberra can have seven-days-a-week out-of-hours access to primary health care at no cost.

Mr Smyth interjecting—

MR SPEAKER: Mr Smyth, you have asked your question. Mr Hanson, a supplementary.

MR HANSON: Minister, why have you failed to work successfully with your federal Labor colleagues to address the low number of bulk-billing GPs in the ACT?

MS GALLAGHER: I have not failed. That is exactly what I have been doing—

Mr Hanson interjecting—

MR SPEAKER: Order! You have asked your question.

MS GALLAGHER: —over the last three years, working with the commonwealth to provide real, long-term sustainable solutions for our primary healthcare system. That is why we have supported the Medicare local. That is why we have supported the walk-in centre model. That is why we are providing scholarships for GPs at ANU. That is why we have supported extra GP training places. That is why we are providing grants to general practice so that they can recruit extra GPs to the territory.

I would draw members' attention to the fact that the Medicare local, in discussions with me—and I am sure they have these with Mr Hanson—are suggesting that there is an easing of pressure on GPs. Indeed, what we are seeing at the moment is that some clinics are actually advertising for patients. So tell me that that is not a difference to this time last year.

MR SPEAKER: Stop the clocks, thank you. Ms Gallagher, one moment. We are only 16 minutes into question time and the level of interjections today is extremely high. I will start warning members shortly.

Ms Gallagher: Bullies at work.

Mr Hargreaves: A supplementary.

MR SPEAKER: Ms Gallagher still has the floor, if she wishes.

Ms Gallagher: No, I have finished.

Mrs Dunne: On a point of order, Mr Speaker, I would ask you to ask the Chief Minister to withdraw the accusations that people in this place are bullies.

MR SPEAKER: I am afraid I did not quite catch it, Mrs Dunne.

Mrs Dunne: Ms Gallagher said across the chamber, “There are bullies at work.” I would ask that she withdraw.

Ms Gallagher: I did, but their behaviour in question time would only support that claim, though.

MR SPEAKER: Ms Gallagher.

Ms Gallagher: I withdraw the comment.

MR SPEAKER: A supplementary, Mr Hargreaves.

MR HARGREAVES: To the Chief Minister: has the government received unanimous support from Ms Sharma for the funding of those initiatives that you just articulated? Have you received anything in the way of a positive suggestion from those opposite in regard to GPs in the ACT?

Opposition members interjecting—

MR SPEAKER: Order! The minister.

MS GALLAGHER: The answer to both of those—

Mr Hanson interjecting—

MR SPEAKER: Order, members! Mr Hanson, you are now warned because I just spoke about turning down the interjections. Ms Gallagher, you have the floor.

MS GALLAGHER: Thank you, Mr Speaker. As we know, the Liberal Party opposed the budgets in which there was significant funding going into primary health care, particularly in the GP support fund—\$12 million. The feedback we have had from those initiatives has been extremely positive. We are up to round 5 in the infrastructure grants. We have training payments going to GPs to actually train students from the ANU Medical School in their GP clinics.

We are doing everything we can to work with the Medicare local to support the existing GP workforce and to ensure that there is a workforce ready for the future. That goes to the heart of the initiatives—

Mr Smyth interjecting—

MS GALLAGHER: that this government went to the election on, Mr Smyth.

MR SPEAKER: Mr Smyth! You are skating on thin ice, Mr Smyth.

Canberra Hospital—mental health unit

MR HANSON: My question is to the Minister for Health and is in reference to the mental health unit. In a question taken on notice in estimates hearings in 2011 it states that the original completion date for the mental health inpatient facility is September 2010. In the *Northside Chronicle* in December 2009 you are quoted as stating that this facility will be complete in September 2011. In January 2012 you stated that this facility is “nearly complete”. Minister, why are ACT residents still waiting for this facility that was originally meant to be completed 16 months ago?

MS GALLAGHER: As the leader of the—sorry; I was going to call you the leader of the opposition there for a moment. It is getting a little bit ahead of ourselves, isn’t it—a bit Freudian that little slip-up. Sorry; I do apologise, Mr Hanson.

MR SPEAKER: Thank you, Ms Gallagher—the question—

MS GALLAGHER: I am sure Mr Seselja has your complete, undivided loyalty.

MR SPEAKER: Ms Gallagher, the question, thank you.

MS GALLAGHER: That was a genuine slip-up but it had a rather entertaining side effect.

Opposition members interjecting—

MS GALLAGHER: I always know when all six of you start shouting at me that you really must not be enjoying yourselves.

MR SPEAKER: Let us proceed with the question, Chief Minister.

MS GALLAGHER: I welcome the opportunity to talk about the adult acute mental health inpatient unit at the Canberra Hospital. As members would be aware, this project has been long in the planning and in the delivery. Indeed, when we came to government and looked at the state that the psychiatric unit was left in by the Liberal Party, and subsequent inquiries to that, it was clear that a new inpatient unit was required.

We have done the planning work. The original intention was to have the adult acute inpatient unit co-located with a forensic facility; that was the project that was agreed to. At the beginning of that project it became clear for a number of reasons, including the views of consumers, that the secure unit would be best located elsewhere, so the project was reorganised at that stage.

The capital works construction commenced in June 2010. I have visited the new unit. It is essentially physically complete; there are some minor works to be done. It has been delayed due to weather. It has had a couple of issues with some subcontractors on that site that have had to be managed. But again when we have the smiling faces of the opposition attend the opening and they see the quality of the facilities that we are building—alongside facilities like the Gungahlin college, the new Kambah school—the new women's and children's unit—

Mr Smyth: Gungahlin Drive, the prison.

MS GALLAGHER: I do not know what the problem is with Gungahlin Drive. That road is working very well. The new psych unit—

Opposition members interjecting—

MS GALLAGHER: It is; I drive on it all the time. The new psych unit is in a league of its own and again will give mental health consumers and their families the opportunity to reside, for the period of their time in an inpatient facility, in the best facilities in the country. That is what we do: we do the planning, we do the scoping, we get the projects right, and they will be there for the long term.

MR SPEAKER: A supplementary, Mr Hanson.

MR HANSON: In the question taken on notice during estimates, as referenced in my earlier question, it states that the facility is meant to be co-located with the secure mental health facility.

Mr Hargreaves: On a point of order, that is a preamble, Mr Speaker, on a supplementary.

MR SPEAKER: It is a preamble, Mr Hanson.

MR HANSON: I will go straight to it then, Mr Speaker.

MR SPEAKER: Frame the question, thank you.

MR HANSON: Minister, why are ACT residents still waiting for the secure mental health facility that the Labor government originally promised in 2005 and subsequently promised would be operational by last year?

MS GALLAGHER: As Mr Hanson well knows, with the decisions around the secure unit, it was funded at about \$11 million when it was co-located with the adult acute inpatient unit. When the decision was made to separate those projects, we embarked on another process which took about a year, to identify a suitable block for that facility. That block was identified as being the former site at Quamby. There was some community concern around that site, so we have undertaken further consultations to try and address some of those issues. As part of the model of care planning and the detailed design, the advice to me was that the project was more in the order of \$35 million, from memory.

I refused at that point to agree to the project going ahead, as I wanted more work done on why the cost had gone from \$11 million to over \$30 million. I understood that there would be some increase in cost because we were looking to co-locate kitchen and staff areas with the adult acute inpatient unit if they both went ahead on the Canberra Hospital site. But I could not agree, on the information available to me, on an additional \$20 million appropriation for that project. So we have now almost completed the needs analysis that has been done, and with a look from New South Wales Health, in terms of the cost of delivering their service, and running the ruler over the secure unit before we provide the appropriate level of funding for that project to proceed.

MS PORTER: Supplementary?

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Minister, did those opposite vote for funds to allow the mental health unit in the last budget?

MS GALLAGHER: I will have to check back on that one, but the position of the Canberra Liberals has been for some time to oppose appropriations for anything that the ACT government provides—not just capital, but anything, any service. They do not want to see the health services delivered. They do not want to see education services delivered. Whilst we will get on with the job, as we do, of delivering all the services that people require, at the same time we will be providing the infrastructure that we are going to need for the future.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Minister, is it true that you removed funding from the budget for the secure mental health facility?

MS GALLAGHER: Has that just dawned on you, Mr Smyth? Yes, we did. It is there in the budget. You are supposedly the shadow treasurer. Yes, we did remove it from the budget. It was returned to Treasury while the project was adequately scoped.

Mr Smyth interjecting—

MR SPEAKER: Mr Smyth, you have asked your question.

MS GALLAGHER: Are we meant to put it in a special savings account, Mr Smyth? The question is ridiculous. Yes, it was removed. I was clear about that at the time. It is clear in the budget papers. The community sector understood this on budget night.

Mr Smyth interjecting—

MR SPEAKER: Order! One moment, Ms Gallagher. Stop the clocks, thank you. Mr Smyth, you are now warned for interjecting repeatedly during this question time.

Ms Gallagher interjecting—

MR SPEAKER: Ms Gallagher, thank you. You have the floor.

Mr Hanson: Mr Speaker, on a point of order, you have spoken to Ms Gallagher about repeatedly speaking to the opposition, addressing her comments to the opposition. She has been doing it throughout question time—asking us questions, debating the issue and then making catty comments when she sits down. I would ask that you would consider a similar level of consistency with the minister's behaviour as you do with the opposition.

MR SPEAKER: Thank you. Ms Gallagher, I think you can confine your remarks to the things that are in your bailiwick and not the opposition's, thank you.

MS GALLAGHER: I will try, Mr Speaker. The community sector, on the evening of the budget at a forum, asked me this exact question. So that is no surprise to anyone. I am not sure why it warrants a special markdown on the "Brendan Smyth notebook of important facts discovered in the Assembly" page, but I removed it because we had no understanding at the time the budget was put together about what the total cost of that project actually was. That is the work that we have been doing. We will have that answer and appropriate appropriations will be made in accordance with that detailed work.

Childcare—cost

MS PORTER: My question through you, Mr Speaker, is to the Minister for Community Services. Minister, regarding the recent report on childcare reforms in the ACT, are you aware of any evidence of the impact of the cost of childcare on the number of places available?

MS BURCH: I do thank Ms Porter for her question. This government is building on the quality childcare system that we have and investing in more places and assisting in keeping costs down. This is what hardworking Canberra families deserve. The quality of childcare being provided is not in dispute. As one commentator has recently said, there is no doubt that we have good quality childcare. It is worth noting who that commentator was—Mrs Dunne. I think it is a very good quote. Here we have on record that Mrs Dunne finally recognises the quality of service that we have in our education and care sector.

While there has been a lot said about the national childcare reforms, there has also been much scaremongering about their impact on the cost and the number of places. I am pleased to say that a recent survey has shown a much clearer picture, with a net growth of childcare places in 2012 and minimal cost increases.

In December and January my directorate contacted 108 services providing long day care to test how the sector was moving to the national standards. They found that the number of places has increased by almost 200 for this year, and this is based on the survey alone. Many centres have not changed their fees, and, for to those that have,

we have found the average daily fee charged by centres this year is up around 2.3 per cent, which is broadly in line with the CPI.

Certainly, some centres will review their prices at the end of the year, but this is hardly the massive hike that Mrs Dunne was predicting. These figures are in line with the latest report on government services, which showed an increase of 2.2 per cent, not the 25 per cent that Mrs Dunne falsely claimed in the Assembly last week. The data shows that the work we have done with the sector—

Mrs Dunne: Point of order, Mr Speaker.

MR SPEAKER: Yes, one moment, Ms Burch, thank you. Stop the clock.

Mrs Dunne: On a point of order, Ms Burch has made an accusation that I made a false claim in this place. That is an indication that I misled the Assembly. She can only do that by substantive motion, and I ask you to make her withdraw.

MR SPEAKER: Mrs Dunne, my advice on precedent in this place is that the notion of making a false claim is different to misleading the Assembly. You, of course, have the opportunity to seek leave under standing order 46 to make a personal explanation later in the day. Ms Burch, you have the floor to continue.

MS BURCH: I advise Mrs Dunne to check the *Hansard* and the words in the question by Mr Seselja. The data shows that the work we have done with the sector in the last two years, including the \$60 million supporting quality early childcare education and care packages, is paying off. They show that Canberra families have had confidence that their children are receiving the best standard of care in the country, and this has not come at great significant cost.

While the government do not operate childcare centres nor determine their business models, we can support the sector to deliver high quality care and help grow to meet growing demand. This is what the ACT government are doing.

MS PORTER: Supplementary.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Minister, can you tell the Assembly about other childcare initiatives that are being undertaken by the government?

MS BURCH: Again, I acknowledge Ms Porter's interest in childcare here in the ACT. The government is committed to improving the level of childcare in the territory. Quality childcare plays an important role in building the community by supporting people participating in the workforce and providing children with education and care. The government committed \$9 million in the last budget to upgrade and extend childcare centres, adding an additional 173 places to the existing childcare centres in suburbs such as Campbell, Braddon and Forrest. Parents choose childcare centres which are close to home or on their way to work. They also like them to be located close to shops and other community facilities.

I note that Mrs Dunne has said, I think on 666, that we are not contemplating opening up for the private sector or the community sector to build these places. Again Mrs Dunne is putting out wrong information. She has got it wrong. We are releasing land at Mackellar and Giralang. That has been sold. And Macarthur, Holt and Gungahlin will be sold before midyear. That will go to the community sector, including community childcare.

In Holder the government has identified \$7 million to establish a childcare centre. It will assist parents and children and support the early development of Molonglo valley. This gives greater choice to people wanting to live in the area. The DA for that centre is with ACTPLA and the notification is open until the end of this month. I expect that construction will be underway by June. In Belconnen we have identified a site in Holt next to west Belconnen child and family centre. This will be released to the market within the next couple of months.

We know that there is interest among childcare operators in acquiring land to build new centres. This is what we are getting on and doing with the release of our land sites. By expanding the number of childcare places, we may help to drive costs down. I am very pleased that Mrs Dunne agrees with me on that.

MR HARGREAVES: A supplementary.

MR SPEAKER: Mr Hargreaves, a supplementary.

MR HARGREAVES: Has the minister had her directorate undertake any analysis of alternative proposals for childcare in the ACT?

MS BURCH: I thank Mr Hargreaves for his interest in children's services in the ACT. This government has a strong track record on listening to families and listening to the childcare sector on how we can improve services. One proposal I have analysed is the idea that a government could run a centralised waiting list for childcare places. It is an interesting proposal, one that has been around for some time. Despite the overwhelmingly negative response from the sector, I thought it was only fair for the directorate to have a look at this.

Unfortunately, my directorate has advised me that such a proposal is not feasible. I am advised that it would require significant investment and legislative amendments. It would require the government to mandate and enforce services to regularly provide updated vacancy details—that is, daily updates from the private and community sectors. We consider that to be burdensome.

I am advised that there is currently no capacity to keep data on a waiting list in the way that would be necessary for a centralised waiting list. I am also advised that implementing a centralised waiting list would increase the regulatory burden on services. In other words, a centralised, mandated waiting list for childcare places would be expensive, heavy handed, bureaucratic and an unwanted burden on services.

For Canberra families the choice of their childcare is a very personal one, so Labor will not be pursuing this proposal. Instead we are equipping parents with the vital information they need to make informed decisions about childcare. At the end of this year families will be able to view their centre's quality rating on the mychild website, together with other useful information. I think what the ACT Labor government is doing is supporting Canberra families, supporting the sector and supporting community services far beyond anything that has been uttered by those opposite.

MR COE: Supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, why are you an advocate for a common waiting list in public housing but not in childcare?

MS BURCH: I thank Mr Coe for his question. A mandated, centralised waiting list is a burden on the services. That requires them to log on each and every night and update the number of children in and out of their services. This is private sector, private businesses that you are asking us to burden with something that is unnecessary and something that they do not want to do.

A centralised waiting list for housing on the other hand ensures that there is common assessment, common intake, common referrals across all social and public housing. It ensures fair and equitable use of the public's resources.

Planning—draft variation 306

MS LE COUTEUR: My question is to the Minister for the Environment and Sustainable Development and is in relation to draft variations to the territory plan. Minister, the development of draft variation 306 has been a long process, including originally draft variations 301 and 303 which were put out for public consultation and then amalgamated into 306 which was consulted on in 2011. Part of draft variation 306 was given interim effect.

Minister, given that this Assembly has only eight months left to run and noting the complexity of the variation, will you be referring draft variation 306 to the planning committee in time for the committee to report to this Assembly?

MR CORBELL: Obviously a decision on whether or not to refer draft variation 306 will depend on the outcome of the public consultation process. I am yet to receive the planning authority's public consultation report which will outline all of the matters which I will need to have regard to in deciding whether or not the proposed variation is, indeed, appropriate and should progress to a next stage.

However, speaking hypothetically, given the complexity of 306, I think it would be desirable for the matter to be referred to the Assembly's planning committee. Whether or not that is feasible given the approach of the 2012 election is a matter, I guess, which is yet to be determined.

MR SPEAKER: A supplementary, Ms Le Couteur.

MS LE COUTEUR: Minister, given that part of 306 has been given interim effect, will this be extended until the next Assembly's planning committee has time to report and the DV is presumably presented in the next Assembly?

MR CORBELL: My understanding of the operation of interim effect—and, again, I would need to seek some advice on the matter—is that interim effect remains in place until the draft variation is either made into a formal variation or it is rejected by the Assembly, or indeed it is withdrawn by the minister or the planning authority.

MS BRESNAN: Supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, will you also be releasing the DV306 reference group's report on the variation?

MR CORBELL: I would expect to release all of the consultation documents and reports in relation to the variation.

MS HUNTER: Supplementary question, Mr Speaker.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, will draft variation 308 be referred to the planning committee and, if so, when?

MR CORBELL: Is that 308 or 306?

Ms Hunter: 308.

MR CORBELL: That is a different variation. I seek your guidance, Mr Speaker, as to whether that is a supplementary. It is about a completely different subject, Mr Speaker. So I seek your advice on that.

MR SPEAKER: Yes; stop the clocks, thank you. Mr Corbell, there are two ways you can interpret this. One is that you can say the question is about the timing of draft variations going to the planning committee—or one can interpret it as being about draft variation 306. I think it is a 50-50 call. I would invite you to answer the question.

MR CORBELL: I need to consider my position on the matter, Mr Speaker.

Schools—Gonski review

MR DOSZPOT: My question is to the minister for education. Minister, the Gonski review, which is, in essence, about the distribution of money, has at its core an interventionist model. Given that the Catholic Education Office administer their

funding according to their own model, will the ACT government use the Gonski review to increase control over how money given to the Catholic Education Office is used and distributed?

DR BOURKE: I thank the member for his question. The member will, of course, be aware that the key word in the Gonski review is “review”—it is a review. It is not commonwealth policy; it is not ACT policy. Considering where this question is coming from, I do not think we need any more evidence that the ACT Liberals are more than happy to take orders from up on the hill, from Tony Abbott. You just have to list them—

Mrs Dunne: Point of order, Mr Speaker.

Members interjecting—

MR SPEAKER: Order, members! Stop the clocks, thank you. Mrs Dunne on a point of order.

Mrs Dunne: Mr Speaker, if the government wants to talk about federal politics, I am sure we could suspend standing orders, but we are in question time, and the answers should be directly relevant to the questions. The question was about whether the government would use this as a means of increasing control over the Catholic Education Office. You should ask the minister to come to the answer.

MR SPEAKER: Yes, the point of order is upheld. Let us focus on the question at hand, thank you, Dr Bourke.

DR BOURKE: The purpose of the Gonski review, as I said yesterday quite clearly, is to offer us a model of clarity—

Opposition members interjecting—

Mr Hargreaves: Point of order, Mr Speaker.

DR BOURKE: in educational funding—

MR SPEAKER: Order! One moment, Dr Bourke, thank you. Stop the clocks.

Mr Hargreaves: Mr Speaker, I would submit to you that your gracious hospitality is being abused about now. I am having a little bit of difficulty listening to Dr Bourke answer the question, and I think you might like to reiterate your advice around warnings.

Mr Doszpot: Mr Speaker, point of order. I think I need to repeat the question for the minister. I do not think he understands what the question was.

MR SPEAKER: On Mr Hargreaves’s point of order, I invite all members to keep the noise down in the chamber so we can hear the minister. Mr Doszpot, I thank you for your offer. Unless the minister asks to have the question repeated, I think we will

accept that he has at least understood it in a way he wishes to. Dr Bourke, the question, thank you.

DR BOURKE: To inject a bit of grounding into this line of questioning from the Canberra Liberals—

Mr Coe interjecting—

MR SPEAKER: Order, Mr Coe!

DR BOURKE: I would like to point out that a number of leaders across the sector have been reported to have either praised or agreed in principle to the Gonski review.

Mrs Dunne: On a point of order, Mr Speaker, the question was: would the government use the Gonski review to increase control over how the Catholic Education Office used and distributed its money? It is a very direct question and Minister Bourke has failed to answer the question. He is talking about what national identities might say about it. It is a very direct question. You should call him to answer the question that was directly asked.

MR SPEAKER: On the point of order, I am aware that Dr Bourke has some time left. Given the size of this issue, I think there is some latitude for him to at least provide some context. But, Dr Bourke, remember to use your time to come to the question, thank you.

DR BOURKE: Thank you, Mr Speaker. We will be working across the sector to get the best possible outcome for all ACT children.

MR SPEAKER: Mr Doszpot, a supplementary.

MR DOSZPOT: Minister, will the ACT Labor government use the Gonski review to alter in any way the amount of money provided to Catholic and non-government schools?

DR BOURKE: Mr Speaker, the question is ridiculous because the review has not been implemented by the commonwealth. We have not had the consultation with the commonwealth which has been suggested, directed by Minister Garrett, to work out how we are going to implement the review. Therefore the question is meaningless.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, will the ACT government use the cover of the Gonski review to impose any other conditions on the rate or quantum or distribution of money provided to Catholic and non-government schools in the ACT?

DR BOURKE: Mr Speaker, I do not think they understand it is a review; it is not policy. So how can we use anything with it? So the answer to your question is no.

MS HUNTER: A supplementary.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, will you be lobbying your federal counterpart to get the extra \$5 billion into the education system that was put forward by Gonski?

DR BOURKE: I thank the member for her question. I am sure that I, like every other education minister in this country—every other state and territory education minister in this country—will be wanting that extra money.

Public housing—insulation

MS BRESNAN: My question is to the Minister for Community Services and concerns the insulation in public housing. Minister, the Greens support the rollout of improved insulation across Canberra's public housing. However, we have received concerns about insulation that has been incorrectly installed and may be a fire threat. One such fire occurred last Saturday. Minister, can you please advise what steps are taken to ensure insulation installed in public housing has been done correctly, and is there any kind of independent check of the insulation after it has been installed?

MS BURCH: I thank Ms Bresnan for her question. Insulation in Housing ACT properties is managed at the moment under our Total Facilities maintenance contract, at the moment through Spotless. They are required, under contract, under law, to have whatever the standards of registration for different practitioners are—licensed electricians and the like—put in place. Spotless clearly then subcontract the installation to a range of people. I am not aware of the incident that you are referring to, Ms Bresnan. I am happy to take it on notice. Certainly, with all work there are independent audits built into the system to check our timeliness of response and the quality of work as well. Any feedback or concerns raised by a tenant over the safety of any work, whether it is insulation or other work, would certainly be followed up.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, are you aware of how many fires may have occurred in public housing because of incorrectly installed insulation?

MS BURCH: No, I would have to take that on notice, and I am more than happy to do so.

MS HUNTER: Supplementary.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, what action is the directorate taking as a result of the fire last Saturday?

MS BURCH: Whilst I am not aware of the details, I know that we have good strong systems in place; where there are incidents, all of them are reviewed. Certainly the cause and the relationship in any recent work done would be investigated. If it is found to be a fault, that would be investigated through that normal process. I am happy to come back with some information.

MR COE: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Did Housing ACT install any insulation as part of the pink batts program and, if so, was there any insulation that happened to be removed?

MS BURCH: I am not aware of any insulation that happened to be in Housing properties that had to be removed.

Health—aged care

MR COE: My question is to the Minister for Ageing. I refer to the Productivity Commission report on government services, figure 13.30, showing that the ACT has the highest rate of hospitalisations in residential aged care in the nation. What are the reasons that the ACT has the highest rate of hospitalisations for falls in residential aged care?

MS BURCH: Residential aged care is not under my responsibility; it is a commonwealth responsibility. So I am not quite sure how I can answer that other than to say I am not responsible for residential aged care.

MR SPEAKER: Mr Coe, a supplementary.

MR COE: Minister, why has the ACT not been as successful in implementing the Australian Commission on Safety and Quality in Health Care guidelines for best practice as other jurisdictions have been?

MS BURCH: Is this residential aged care, Mr Coe?

Mr Coe: Yes.

MS BURCH: I am not responsible for residential aged care.

Crime—sexual assault

MRS DUNNE: My question is to the Attorney-General. Attorney, ROGS 2012 shows that the rate of sexual assaults in the ACT, at 225 per 100,000 people, is one of the highest in the country, well above the national average of 196 per 100,000 people. Attorney, what analysis has your directorate made of this data and what conclusions has your directorate drawn as to why this might be the case?

MR CORBELL: I thank Mrs Dunne for the question. Any increase in the rate of reporting, and indeed offending, in relation to sexual assault is a serious matter. My directorate looks closely at this data. There are a range of circumstances that may drive changes in reporting and offending rates. One of those may be an increase in the reporting rate—that is, that more victims of sexual assault are prepared to come forward and report the matter to police to allow the matter to be investigated and potentially prosecuted. Sexual assault is one of those crimes which are recognised as having a significant level of under-reporting; therefore an increase in the rate of reports of sexual assault may indicate an improvement in terms of reporting of the offences concerned.

That is the general observation I make about those figures. In relation to the more specific elements of Mrs Dunne's question, I will take those on notice.

MR SPEAKER: A supplementary, Mrs Dunne.

MRS DUNNE: Minister, what is the government doing to further reduce the incidence of sexual assault in the ACT?

MR CORBELL: Reducing the incidence of sexual assault is all about improving the reporting rate, because of that ongoing, underlying level of non-reporting by victims of sexual assault, noting that most victims of sexual assault are women. The government's response to that has been to introduce a series of reforms that make it easier for victims to report the matters and in particular make it easier for those victims then to give evidence in court and to be supported through the criminal justice process.

The sexual assault reform project, which the previous Assembly supported in relation to changes to the territory's criminal law in the conduct of these matters in the courts, has been a very important step in facilitating greater protections and reducing the amount of retraumatisation that victims of sexual assault otherwise experience when they have to go and give evidence and be cross-examined in relation to that evidence. Those are the types of responses that the government has pursued and will continue to pursue. Indeed, at this point in time we are closely looking at the impact of the SARP reforms to make an assessment as to whether or not further reforms of that order are required.

MR HANSON: A supplementary.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Attorney, do these figures reflect a failure of government legislation introduced during this Assembly attempting to combat the incidence of sexual assaults and if no, why?

MR CORBELL: I do not believe so. Indeed, for the reasons I have just elaborated upon, improving reporting rates is a positive outcome in that it means that more offences are being investigated and more matters are being brought before the courts

for trial. And that is the way it should be. So changes to the law that encourage improvements in reporting are a good thing.

I think it is still early days in terms of the SARP reforms because we have, overall, still quite a low level of those matters moving through the criminal justice system. Therefore, it is difficult to ascertain any trend at this point in time, given the relative immediacy of the changes to the law. Nevertheless, my directorate continues to keep a close watch on these matters.

Energy—solar

MR HARGREAVES: My question is to the Minister for the Environment and Sustainable Development and concerns the solar auction. Can the minister provide the Assembly with an update on the large-scale solar auction now underway?

MR CORBELL: I thank Mr Hargreaves for his question. Members would be familiar that at the last election Labor made the commitment to establish Canberra as the solar capital of Australia. I am pleased to advise the Assembly that we are moving forward with the implementation of that major election commitment.

In the last year we have seen this Assembly pass legislation to allow for the nation's first large-scale feed-in tariff to support commercial-scale solar generation. That is an innovative measure, a measure never before implemented in Australia for large-scale solar, and we have seen a very positive response to that.

We have seen, of course, other mechanisms that have been tried by other governments around the country, such as the solar flagships program at a commonwealth level. We have seen that there have been significant market risks in this model, resulting in projects stalling for months or years on end, particularly because generators have been unable to secure power purchase agreements and financiers and/or their government backers have got cold feet.

With the large-scale feed-in tariff, we are seeking to eliminate that risk. The way we are doing that is through a contract for difference. What this means is that the feed-in tariff will only be paid at the level which is the difference between the wholesale price of electricity and the feed-in tariff set at the auction. Of course, as the wholesale price of electricity continues to rise over the next couple of decades, as all commentators observe that it will, the difference between that price and the price for renewable power as set under the feed-in tariff will diminish. That means the amount of pass-through cost to consumers will also continue to diminish.

My directorate has received a very strong level of interest since the passage of the large-scale solar feed-in tariff legislation. We have announced the first auction—20 megawatts of entitlements to be awarded this year and a further 20 megawatts to be released by early 2013. This will allow this government to fulfil its commitment in establishing Canberra as the solar capital of the country.

MR SPEAKER: Supplementary, Mr Hargreaves.

MR HARGREAVES: Thank you, Mr Speaker. Is the minister able to give an indication of the level of business interest in the auction?

MR CORBELL: Yes, we can. In fact, the large-scale solar tariff auction is attracting significant interest. An industry briefing was held on Friday, 10 February at the National Convention Centre. Approximately 150 industry representatives ranging from technical suppliers through to financiers attended. National and international companies attended, showing a high level of interest and a strong willingness to participate.

The need for a well designed feed-in tariff and a process to allow it was a consistent request from industry participants in the earlier expressions of interest process the government ran in 2009. But let me talk about what industry specialists are saying about the ACT's large-scale solar feed-in tariff. A recent article said:

... the main game in the Australian solar industry has moved—from the corridors of power in the Federal Parliament to the more modest resources of the ACT Legislative Assembly.

That article went on to say:

The game-breaking potential of the ACT auction will be in the prices offered, with some suggesting that bids could come in the \$120/MWh-\$150/MWh range—the area where solar can compete with daytime wholesale energy costs without the need for subsidies—

We are getting strong endorsement from this program from industry commentators. Just the first 40 megawatt release, on top of our existing rooftop solar, will put the ACT in per capita terms on a par with Germany in terms of our solar energy use.

Is the ACT government implementing its commitments to make Canberra the solar capital of Australia? Yes, it is. Is it receiving strong support from the solar industry? Yes, it is, Mr Speaker.

MS PORTER: A supplementary.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Minister, can you outline the benefits to the ACT community of deploying a large-scale solar renewable generation capacity?

MR CORBELL: The goal of our large-scale renewable energy legislation is of course to assist in the reduction of our greenhouse gas emissions and kick-start the city's transition to a low carbon economy. Of course there are also pass-on benefits to the broader ACT economy. It has been estimated that the successful bidders will bring an estimated \$360 million to \$400 million worth of investment into the ACT to construct these facilities and they will provide a range of jobs common to large-scale construction projects such as concreters, metalworkers and fabricators, as well as electricians, engineers and a range of other trades and professions. These are important economic benefits, not just environmental benefits.

In addition, of course, we will see interest from local industry and there will be longer term jobs as companies require people to maintain and support these facilities over a commercial operating life of more than 30 years. The government can also see advantages coming to our educational institutions such as the CIT, the ANU and the University of Canberra. These institutions already offer courses, undertake research and train people in areas such as renewable energy technologies.

The opportunities that come from learning by doing in implementing the solar capital are very significant, and this Labor government is proud to be leading the way.

MR SESELJA: A supplementary.

MR SPEAKER: Yes, Mr Seselja.

MR SESELJA: Minister, what lessons has the government learned from failures in the German scheme which you referred to in your earlier answer?

MR CORBELL: The German scheme is considered to be one of the most successful feed-in tariff schemes in the world. Just in the last quarter, over in Germany, over 3,000 megawatt hours of generating capacity was installed. That is more in a quarter than exists right across Australia right now. We have looked very closely at the implementation of reverse auctions in other jurisdictions around the world. That is why we have chosen the contract for difference model, because it means that you get the largest amount of renewable energy generated for the lowest cost to consumers, and that is a socially equitable thing to do and a very efficient thing to do, to drive the transition to a low carbon economy.

Ms Gallagher: I ask that all further questions be placed on the notice paper.

Rostered ministers question time

Minister for Tourism, Sport and Recreation

Sport—funding

MR DOSZPOT: Minister, what has been the uptake of the MARSS men's swimming program, which received community funding of \$21,480 in the 2011-12 community funding round? Has the program yet started? If so, how many applications were received? How many men have completed the course of lessons?

MR BARR: I advise the member that the program he refers to is actually funded from the health promotion grants program; so in fact it is not within the Tourism, Sport and Recreation portfolio. Nevertheless, I have sought some information for the member. The answer is yes and approximately 40.

MR DOSZPOT: Minister, have any of these program graduates been offered an opportunity to complete a first aid course and become AUSTSWIM qualified teachers?

MR BARR: I am advised the answer is yes, Mr Speaker.

Sport—Lyneham sports precinct

MR HANSON: Minister, what impact has the discovery of asbestos at the Lyneham sports precinct had on cost and completion? When will the new facility be fully operational?

MR BARR: Some impact, Mr Speaker, and the final report from Robson Environmental is with the environmental auditor. I will have further information in due course.

MR HANSON: Minister, what strategies have been put in place to identify and remove other possible asbestos sites in other local sports areas?

MR BARR: Bonded asbestos that is not disturbed is safe.

Tourism—autumn events

MR COE: Minister, the ACT government initiated the major events strategy or the blockbuster fund in the 2011 ACT budget. Minister, how much of the \$1 million allocated to this strategy in 2011-12 has been utilised? What are the events on which these funds have been used?

MR BARR: \$850,000; the *Renaissance* exhibition and the *Handwritten* exhibition at the National Gallery and National Library respectively.

MR COE: Minister, how much of the \$1 million that has been budgeted for this strategy for 2012-13 has been identified for future events? If none has been allocated, why not?

MR BARR: Applications are currently open and one has currently been received. There is still the possibility for more and announcements will be made in due course.

Tourism—autumn events

MR SMYTH: Minister, when you were attempting to determine a concept for your ill-fated new major annual autumn event, you told the consulting firm Ernst & Young that once an event had been selected, it would be given hallmark status. What are the characteristics which are required for an event to be determined as having hallmark status?

MR BARR: An event that increases the profile of the ACT nationally and internationally. Generally the term “hallmark” is one that engages the wider community. It becomes a feature of our annual event calendar and drives social and economic benefits to the territory.

MR SMYTH: Minister, was the Enlighten event given hallmark status? If not, why not?

MR BARR: Yes.

Tourism—potential

MS HUNTER: Minister, what steps have been taken to tap into the tourism potential of Tharwa, Hall and Pialligo?

MR BARR: The *2012 Canberra Capital Region Visitors Guide* promotes these regions. Information is available through the Canberra and region visitors centre and a number of online promotions that are available on the visit Canberra website.

MS HUNTER: Minister, what coordination has there been with the planning authority to ensure that the master plans developed for these villages take into account their tourism potential?

MR BARR: The agencies are certainly working together on that.

Personal explanation

MRS DUNNE (Ginninderra): Mr Speaker, I seek leave to make a personal explanation under standing order 46.

MR SPEAKER: Is it in regard to the minister's earlier comments?

MRS DUNNE: It is in regard to the comments made by Ms Burch during question time.

MR SPEAKER: You have leave, Mrs Dunne.

MRS DUNNE: Ms Burch said in question time that I had made some—

MR SPEAKER: False claims?

MRS DUNNE: false claims—thank you; they are the words—the other day in relation to the ROGS data. It turns out that what she was referring to was a question asked by Mr Seselja last week that said:

... the Productivity Commission's report on government services revealed that the cost of childcare in the ACT was \$60 above the national average.

That was the situation in the last ROGS report. He went on to note that in the most recent ROGS report this has soared to \$75 above the national average, an increase of 25 per cent. In anyone's terms, an increase from \$60 to \$75 is an increase of 25 per cent. That is in the median weekly service cost for childcare in the ACT.

For the information of members, it shows that in the ACT in 2011 the median weekly service cost was \$345 compared to \$285 nationally. In 2012 the median weekly service cost was \$375 compared to \$300 nationally. That \$30 increase in the ACT is an 8.6 per cent increase and not the CPI figure that Minister Burch said today.

Supplementary answer to question without notice ACTION bus service—network

MS GALLAGHER: Earlier in question time Ms Hunter asked me a question about bus services in Crace. Services to Crace will commence with the implementation of network 12 in May 2012 when route 58 is diverted into the suburb. There are no school dedicated bus services at this stage for Crace.

Personal explanations

MS BURCH (Brindabella—Minister for Community Services, Minister for the Arts, Minister for Multicultural Affairs, Minister for Ageing, Minister for Women and Minister for Gaming and Racing): Mr Speaker, can I make a statement under standing order 46 in response to Mrs Dunne?

MR SPEAKER: Yes.

MS BURCH: I refer Mrs Dunne to table 38.23 in the ROGS report. The difference is 2.2. Your question to me was: why has the cost gone up by 25 per cent? So I ask you to show me the ROGS data.

Mr Coe: A point of order, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

Mr Coe: I ask whether that was in fact permissible under section 46 of the standing orders.

MR SPEAKER: I think it was borderline. Members, we will simply leave that one alone now. If anyone wants to debate it, they can put a matter on the notice paper to debate that matter further or ask further questions.

MR HANSON (Molonglo): I have a matter arising from question time, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: During question time Ms Gallagher both made an assertion and asked me the direct question about what I had done for primary health. I seek your guidance on whether I should make that as a statement under standing order 46 or whether I can be granted leave to make a short statement to answer the minister's question.

Members interjecting—

MR SPEAKER: Order! One moment, Mr Hanson. I will just seek some guidance.

Members interjecting—

MR SPEAKER: Order, members! Mr Hanson, my reading of standing order 46 is that it is to explain matters of a personal nature. I do not think a policy debate falls into that category. So you might have to use another time or seek leave.

MR HANSON: On your ruling, if I could, Mr Speaker, the minister made the clear assertion that I had done nothing. She was saying it throughout the question. Rather than answer the question, she was debating the matter and making the assertion that I had done nothing in my job when it came to primary health, which is not true. I would like to make it very clear under standing order 46 what I have done, to essentially set the record straight. I consider that a personal matter, Mr Speaker.

Mr Hargreaves: On a point of order, Mr Speaker.

MR SPEAKER: Yes.

Mr Hargreaves: Standing order 46 applies when people feel as though they have been misrepresented personally, not in the office in which they function in this place. I would argue, Mr Speaker, that the place for such a rebuttal, if that is the case, is the adjournment debate and not under standing order 46.

Mr Coe: Point of order, Mr Speaker.

MR SPEAKER: On this point of order, Mr Coe?

Mr Coe: Yes, on this point of order.

MR SPEAKER: Yes.

Mr Coe: I ask that the same privilege be given to Mr Hanson that was given to Ms Burch.

MR SPEAKER: I am going to seek some advice, members, because I do not want to start some precedent here that we are going to see used for the next months.

Members interjecting—

MR SPEAKER: Order, members! In light of your further comments, Mr Hanson, I am going to give you leave under standing order 46, but let us not enter into a large-scale policy debate. You have to focus your comments on areas where you feel you have been misrepresented.

MR HANSON: Indeed, I feel I have been misrepresented. The minister said that I had done nothing when it came to primary health care. Clearly, I have. Firstly, I have done my job of holding this government to account, which is not an inconsiderable task.

On 25 March 2009 I moved a motion in this Assembly referring the matter of primary health care to the Legislative Assembly's health committee, which conducted an inquiry. That motion also required that the government report, which led the next day to the government establishing a task force on 26 March. Both of those bodies of work have together—there were about 30 recommendations of the health inquiry and 28 recommendations from the government task force—led to legislation being introduced in this place and have led to a number of initiatives that have been adopted by the ACT government.

In February 2010 I released a health discussion paper, "The state of our health", that led to a series of forums, including the forum on primary health care. In November 2010 I wrote to the federal minister, Nicola Roxon, requesting a meeting so that I could discuss matters of health including, and I quote from my letter, "current operations of primary healthcare services". I look forward to hearing from her office. I have not received a response to that letter. Thank you, Mr Speaker.

Tuggeranong Community Council

Debate resumed.

MR DOSZPOT (Brindabella) (3.14): Mr Speaker, along with my colleagues, during the adjournment debate speeches last Wednesday night I sat absolutely astounded at the ranting of John Hargreaves in this chamber. I guess we should not have been too surprised, as John Hargreaves has made quite a reputation out of being controversial and irreverent—or irrelevant. But a lot of latitude is usually given to good old Johnno. Well, this time he has overstepped all standards of common decency. He attacked the community. He attacked the elderly. He called members of the Tuggeranong Community Council a "geriatric mob", an "old persons club", and "nothing but a self-help group".

What actually caused this great outburst from Mr Hargreaves? It was a motion on planning in Tuggeranong, a detailed motion that touched on a range of issues that this government has neglected in Tuggeranong over the past 10 years. The motion was not about Mr Hargreaves, but he did have a bit part in it. He received some criticism from Mr Smyth, Mr Seselja and me for his lack of interest in his electorate, a lack of interest that was highlighted by him not even being in the chamber and not even taking part in the debate on the Tuggeranong motion. We spoke about him missing in action in the Assembly as well as in the electorate.

What did Mr Hargreaves do when he finally emerged from his slumber in his office after dinner—well after dinner—when the Assembly was about to adjourn and we were giving adjournment speeches? He came down and—

Members interjecting—

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Seselja, Mr Hargreaves, please be quiet!

MR DOSZPOT: I am just repeating what you said. Mr Hargreaves said—

Members interjecting—

MADAM ASSISTANT SPEAKER: Order, Mr Hargreaves, Mr Seselja! Mr Doszpot has the floor.

MR DOSZPOT: Thank you. Mr Hargreaves came down and said the following in the adjournment speech:

I need only five minutes. I was not going to rise to the bait of the challenges that those opposite were firing at me as I listened to the television upstairs but I thought what I would do in the adjournment debate was come down and tell you why it was, Mr Speaker, that I did not rise to the bait then—because I was treating the motion and those speakers with the contempt that they were due.

An interesting admission yet again, Mr Hargreaves. The motion was not about you. The motion was about the Tuggeranong community. But you told us again that you were not rising to the bait because you were treating the motion—the motion about the Tuggeranong community—with the contempt it deserved. They were your words, Mr Hargreaves, and I am astounded.

Mr Smyth, Mr Seselja and I were fair targets, Mr Hargreaves. You had every right to respond to us. But you had no right, nor any possible reason, to attack the community, the elderly, members of the Tuggeranong Community Council, and members of your own electorate. Your arrogance and disrespect to the community has now made you the subject of the motion by Mr Smyth which started this morning, and this motion is about you, Mr Hargreaves. This motion is also about us, about this Assembly, and the standards that are set in this Assembly and the standards we expect.

The government and the Greens have a subtext in this debate—it is almost along the lines: “Well, it’s Johnno. Wink, wink, nudge, nudge. It’s okay. He didn’t mean it.” It is the Chief Minister’s responsibility—and I wish she was here to hear it—to ensure her ministers and backbenchers conform with the ministerial code of conduct. What did the Chief Minister say in her apology? “Well, this was John Hargreaves’s comment. We don’t condone it.” Well, Chief Minister, that’s another wink, wink, nudge, nudge. Chief Minister, when are you going to stand up and enforce some discipline amongst your people? How many years has this been going on for? Jon Stanhope also apparently always said, “Well, good old Johnno, lovable larrikin.”

So what has good old Johnno said in his response to this motion this morning? He apologised to the Tuggeranong Community Council because he allegedly found that they are not the ones he was thinking of. These are—surprise, surprise—newly elected volunteers. So good old Johnno’s insult to the community, to the elderly, has now gone even wider. It now includes all the past members of the Tuggeranong Community Council. For how long, Mr Hargreaves? For two years? Three years? How far back does it go?

I have received some correspondence from some very concerned constituents who are not members of the Tuggeranong Community Council, but they feel that all the elderly—or geriatrics as they were described—in Canberra have been insulted. They suggest the comments may breach anti-discrimination laws.

Chief Minister, it is over to you. These comments have been made and made again. An apology has now been made, but the apology has opened up an even wider group of people who will now need to be apologised to. How long will this go on? Apology after apology or foot in mouth after foot in mouth?

MS BURCH (Brindabella—Minister for Community Services, Minister for the Arts, Minister for Multicultural Affairs, Minister for Ageing, Minister for Women and Minister for Gaming and Racing) (3.20): It is not surprising that we have this motion here today—anything to distract from matters closer to home for the Canberra Liberals. But I take this opportunity, Madam Assistant Speaker, to reiterate my support for the Tuggeranong Community Council and, indeed, other community organisations that I meet with regularly.

The government works closely and meets regularly with the Tuggeranong Community Council and with all community organisations. As the President of the Tuggeranong Community Council, Darryl Johnston, would attest, the Chief Minister and I meet regularly with him to discuss a range of issues important to the Tuggeranong community, and it has always been made abundantly clear to the Tuggeranong Community Council that my door is always open for them, and they often exercise this invitation. We do not necessarily have to agree with everything they say or they do not have to agree with everything we say. Most people do not expect that—

Opposition members interjecting—

Mr Hargreaves: Point of order, Madam Assistant Speaker, the minister heard those opposite in silence, and I ask you to ask them to extend her the same courtesy please.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Absolutely. Ms Burch, you have the floor.

MS BURCH: Thank you, Madam Assistant Speaker. What is needed is honesty, respect and openness in those discussions. The Chief Minister and Mr Hargreaves have written to the council, apologising for Mr Hargreaves's remarks, and many conversations have occurred with Mr Johnston. Mr Hargreaves has here in this place very clearly apologised to the council.

But I suspect this motion is not something Mr Johnston would ask for or even welcome. As Ms Bresnan has noted, Mr Smyth has not even had the decency and courtesy to contact Mr Johnston and raise this motion with him.

My support for the work of the Tuggeranong Community Council is as strong as ever it was. Just last week following Mr Hargreaves's comments in the adjournment debate I said:

Just for the record I do attend the Tuggeranong Community Council. I will continue to attend the Tuggeranong Community Council to support the good people of Tuggeranong. I am also very pleased to support Darryl Johnston in any activity that he puts forward to us.

As I suspected, Mr Seselja has sought to fabricate my account of this, and I was disappointed but not surprised to see that. His purpose was clear; it had nothing to do with supporting—

Mrs Dunne: Point of order, Madam Assistant Speaker, there is an accusation—I think the word was “fabricate”—from Ms Burch that Mr Seselja was trying to fabricate something—that is, he is telling a mistruth. I ask you to ask the minister to withdraw the accusation.

MADAM ASSISTANT SPEAKER: One moment.

Mr Hargreaves: Point of order, clock, please, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: Yes, certainly. Stop the clock. Ms Burch, I suggest that you might wish to withdraw that comment.

MS BURCH: I withdraw the word “fabricate”, but, certainly, Mr Seselja was on 666 radio where he said that Mr Hargreaves was being egged on by Joy Burch, another member for Brindabella. He was pressed and was asked whether I was egging him on, and he said, “Yes, she was.” That is absolute nonsense. If we want to go to *Hansard*, everybody over there was laughing. In fact, with such hilarity did they find this exercise—

Opposition members interjecting—

MADAM ASSISTANT SPEAKER: Order! Members of the opposition, please be quiet. Ms Burch, you have the floor.

MS BURCH: Thank you, Madam Assistant Speaker. Each one of them, in a row like happy ducks, they were laughing. Indeed, Mrs Dunne stood in this place in the middle of this and said:

Mr Speaker, I move that Mr Hargreaves be given more time to pontificate on the issues relating to Tuggeranong.

Shame, shame, shame. Mrs Dunne, in outrage now, stood there with a smile on her face and asked for more time to be given so they could all jolly along with it. That is absolute hypocrisy. This is just the sort of double standard that we have come to expect from Mr Seselja and the Canberra Liberals.

As I have already said, Mr Hargreaves has acknowledged that he was out of line and, to his credit, he has had the courage to admit it. The Chief Minister, showing leadership, has also expressed regret at Mr Hargreaves’s comments, and that is the right thing to do.

The Canberra Liberals' outrage on this matter might have some credibility if their own record was clean. So, Madam Assistant Speaker, it is worth reminding ourselves of some of their most recent behaviour. Before the opposition seeks to have this ruled out of order—

Mrs Dunne: Point of order, Madam Deputy Speaker, the issue here is about the comments made by Mr Hargreaves. There is a substantive motion before the Assembly in relation to the comments of Mr Hargreaves in relation to older people, older citizens and the Tuggeranong Community Council. That is the substantive motion, and to go anywhere else would be lacking relevance and would be not in accordance with the standing orders.

MADAM ASSISTANT SPEAKER: Stop the clocks, please.

Mr Hargreaves: On the point of order, Madam Assistant Speaker, Mrs Dunne is very good at getting up, calling a point of order and going on for at least 30 seconds without the clock being stopped, and she is using up time. I ask you to bring her to order and stop the clock every time she stands up, please.

Mrs Dunne: Sorry, the standing orders are clear about the stopping of the clock. That is the call of the presiding officer at the time. Mr Hargreaves's badgering about this all through question time and through this debate is unseemly.

MADAM ASSISTANT SPEAKER: Thank you, members. Ms Burch, you have the floor, and I suggest that you refer principally to the motion.

MS BURCH: The rhetoric of the motion has come around to standards in this place and the need to be mindful and respectful of those that are not in this chamber. We have heard about the political argy-bargy. We have all got to be up front and take that. That has been the tone of the conversation from many in this room on this motion. So I would like to point out that at the heart of this motion are the standards that have been set in this Assembly by comments made by MLAs about third parties who do not have the opportunity to defend themselves.

This motion is about a member of this Assembly and how he should apologise to the Assembly and to a member of the community, or a sector of the community, for comments which have been made in this chamber. It is worth noting that some offensive commentary made by members of the opposition which has been deemed to be inappropriate is not worthy of retraction let alone an apology.

I remind you, Madam Assistant Speaker, of comments made by Mrs Dunne in a press conference in the courtyard on 21 November last year regarding care and protection workers when she accused them of "unconscionable behaviour". Offensive and untrue, Madam Assistant Speaker.

Mr Seselja interjecting—

MADAM ASSISTANT SPEAKER: Mr Seselja, please be quiet.

MS BURCH: Mrs Dunne has not retracted this statement. In fact, she has stood by it. She believes that care and protection workers behave unconscionably. There has been no apology to these hardworking workers.

Another example, again from Mrs Dunne, was on 16 November and in regard to legal advice from the Government Solicitor's Office when she said, "What we have here is a Government Solicitor being asked to pull the government out of a hole by some creative interpretation of law." No apology. No retraction.

Opposition members interjecting—

MADAM ASSISTANT SPEAKER: Order, members of the opposition! If you keep on interrupting I will warn you.

MS BURCH: They use disparaging, negative words to describe people who have no right of reply and no ability to come into this place.

Then we have Mr Hanson, who interjects and says that care and protection workers break the law. This is an appalling double standard, but it is the standard set by the Canberra Liberals in this place. As a contrast between the two leaders—

Mrs Dunne interjecting—

MADAM ASSISTANT SPEAKER: Mrs Dunne, you are now warned.

MS BURCH: Here we have a Chief Minister who, when one of her MLAs says the wrong things, makes sure that that MLA is accountable and puts things right. She put things right in writing. What does the Leader of the Opposition do to pull his team into line? Nothing. Makes excuses and condones their behaviour. Mrs Dunne says care and protection workers—the hardest workers in our community—behave unconscionably. Mr Hanson says these workers break the law—a complete, absolute untruth. So it comes as no surprise that the opposition has brought this motion, because they want to get away from their own behaviour using smoke and mirrors, and that is quite extraordinary.

In the time left, I seek leave to move my amendments together.

Leave granted.

MS BURCH: I move:

(1) Omit paragraph (1), substitute:

“(1) notes that both the Chief Minister, Katy Gallagher, and John Hargreaves MLA have spoken personally to the President of the Tuggeranong Community Council and have subsequently written to the Council confirming their support for its valuable contribution to our community;”.

(2) Omit paragraphs (3) and (4), substitute:

“(3) restates its support for the work of all community councils and, in particular, its support for the valuable and unique interface they provide between Government and the community.”.

This government is on record as valuing and supporting the community councils. We value the work and contribution they make individually and collectively. They give of their time, their wisdom and energy for the benefit of our community, and for that I thank them. I commend my amendments, and I absolutely condone the appalling double standards of the Canberra Liberals.

Mr Seselja: Condone?

MS BURCH: Sorry, condemn.

MR SESELJA (Molonglo—Leader of the Opposition) (3.31): I am really not sure what Ms Burch was condoning there at the end of her speech. She says she condones the double standards.

Ms Burch: Condemn.

MR SESELJA: That is not what you said, Ms Burch. It does not matter what you mean; it is what you say. With friends like Ms Burch, I think Mr Hargreaves hardly needs enemies. What we had, again, was more disdain for the people of Tuggeranong. That is shown in the way that the government, the Labor Party, will be voting in this place. We also had Ms Burch firing up at one point and saying how disgraceful it was that Mr Hargreaves should have been given more time to speak in this place. That is what she said. She said, “What a disgrace that Mr Hargreaves should be given more time to speak in this place.” She thinks it would be disgraceful if her own colleague was given more time.

What is disgraceful is the way that the Labor Party, in this case through John Hargreaves, treats the community. What is disgraceful is the way that John Hargreaves, on behalf of ACT Labor, as a representative of ACT Labor, representing the government as the government whip, a senior position, is allowed by his leader—he is allowed by Katy Gallagher—to go out there and attack volunteers and prominent Canberrans in the most disgraceful way. I think Mr Doszpot summed it up in this way—it has been written off by Ms Gallagher as: “Oh well, it’s just Johnno. It’s another late night rant. You know how he gets after dinner. He tends to come in here and get all fired up.”

Mr Hargreaves: Madam Assistant Speaker, on a point of order—

MR SESELJA: Could we stop the clock, Madam Assistant Speaker?

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Yes, please stop the clock. Mr Hargreaves.

Mr Hargreaves: Madam Assistant Speaker, Mr Seselja has said by way of interjection and now in his speech, “You know what Mr Hargreaves is like after dinner.” I suggest to you, Madam Assistant Speaker, that this line that the Leader of the Opposition is using is a reflection on me as a member of this place and I believe it to be disorderly. I would ask you to get him to withdraw it and to cease using that particular phraseology.

MR SESELJA: What—“after dinner”? There is nothing unparliamentary, Madam Assistant Speaker, on the point of order.

MADAM ASSISTANT SPEAKER: Mr Seselja, would you like to withdraw?

MR SESELJA: Madam Assistant Speaker, we will get to an absurd situation if every time John Hargreaves’s feelings are hurt we have to withdraw. There is nothing unparliamentary around anything I have just said.

MADAM ASSISTANT SPEAKER: Mr Seselja, would you like to withdraw?

MR SESELJA: What am I being asked to withdraw and what are the words that are unparliamentary? I would like your ruling on that.

MADAM ASSISTANT SPEAKER: Your reflection on the member, as I understood what you were trying to say.

MR SESELJA: Saying that he made a speech after dinner, which is a statement of fact?

MADAM ASSISTANT SPEAKER: Mr Seselja, this is not actually a matter for debate. Will you withdraw?

MR SESELJA: I just seek your ruling. I think it is standing order 73 where I can seek a ruling from you. What is the ruling? What are the unparliamentary words which I am being asked to withdraw?

Mr Hargreaves: Madam Assistant Speaker, if I may be permitted to assist the chair in a slight way, Mr Seselja, if he takes the words and separates them out, can try to establish some innocence in this particular thing, but put together in the inflection and in the insinuation it is quite clear that there is an intentional reflection on my character and that is unseemly and disorderly.

MADAM ASSISTANT SPEAKER: Mr Seselja, I invite you to withdraw the comments that could be regarded as reflecting upon the member.

MR SESELJA: If you can just point out the exact words, I will be happy to withdraw, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: Mr Seselja, as you would be aware, *Hansard* is not this quick.

MR SESELJA: I understand that, but if I am asked to withdraw something—

MADAM ASSISTANT SPEAKER: Mr Seselja, I have asked—

MR SESELJA: Yes, I know, and I am happy to withdraw it, but I do not know what you are asking me to withdraw. I will withdraw the words you are asking me to withdraw, but it would be great if I knew what that was.

MADAM ASSISTANT SPEAKER: I would like you to rephrase any comments that could be seen as reflecting on Mr Hargreaves's abilities.

MR SESELJA: Thank you, Madam Assistant Speaker. I withdraw whatever it is you have asked me to withdraw. We know why Mr Hargreaves is touchy on this subject; we see it every time. In this case, he came late in the sitting and had a rant. People will see that in different ways. We will make conclusions as to why he makes rants like this. We believe those kinds of rants are unacceptable. It is not once, it is not twice; it is a pattern of behaviour from Mr Hargreaves that brings this place into disrepute and brings his party into disrepute. He continues to represent the Labor Party in the senior position of whip.

Is he embarrassed about that? Maybe. Well, he should be. We see occasionally, as we do right now, the embarrassment. We occasionally get a glimpse that he actually might have some shame for the way he behaves in this place. It is not the first time. We saw in another late night sitting the slur against Mrs Dunne. We saw the disgraceful slur against Mrs Dunne by Mr Hargreaves. Of course, when he was called to account on that occasion, he sought to dismiss it and then he gave the most ungracious apology imaginable in the chamber and the most ungracious withdrawal.

We see it time and time again and Ms Gallagher continues to condone it. Even in her letter to Mr Johnston there is no hint of an apology. There is no hint of "I've called him into line". She says, "I have spoken to him and I don't share his views." That is great. Apparently she has got a different view. What are you going to do about it, Ms Gallagher? "Nothing. I'm going to say that I have a different view." He represents the Labor Party and he has been allowed to get away with this behaviour time and time again.

We have seen the pattern of behaviour, Madam Assistant Speaker, and Ms Gallagher's failure to even apologise. Why is it so hard for Ms Gallagher to actually apologise in that letter? "On behalf of the government, who Mr Hargreaves represents as whip, on behalf of the Australian Labor Party, who Mr Hargreaves represents as whip, I apologise for his disgraceful behaviour."

So many times it has been the last chance for Mr Hargreaves. What will it take for the Chief Minister to actually show some leadership and say, "You've had a lot of last changes, Mr Hargreaves, and now you will no longer represent us as whip"? Until she does that, she will be condemned for his behaviour. She will be condemned by his behaviour because she is therefore condoning it. We see it time and time again. He was on his last chance last time with the disgraceful slur against Mrs Dunne. He is on

his last chance again. What will it actually take? How low are the standards from those opposite that they will allow this kind of language to be used against members of our community?

It reflects on the disdain that the ACT Labor Party has for the people of Tuggeranong. Of course, by being backed again by the Greens, it shows the disdain that the Labor Party and the Greens have for the people of Tuggeranong, for older Canberrans and for volunteers—those good people who give up their time to serve the community.

There is an easy way for the Greens to show that they do not condone this, and that is to support this motion. What would be so wrong about that? Ms Bresnan can go down to the next Tuggeranong Community Council and say why she is voting against this motion, why she will not support this motion. She can go to them and say, “I didn’t support this motion,” and it would beg the question: “What was so wrong with the motion? What would be wrong with causing Mr Hargreaves to apologise for his behaviour?” That is what Mr Smyth is doing. We have seen this pattern of behaviour time and time again. The people of Tuggeranong deserve better. Their representatives on the Tuggeranong Community Council deserve better.

We saw a wider slur as well. Val Jeffery, for instance, was particularly singled out by Mr Hargreaves in his rant. Val Jeffery has, I think, more courage and integrity in his little finger than any member of the Labor Party. He has served his community so well, particularly under fire during the 2003 bushfires and the actions he took. For him to be slurred in the way that he was by Mr Hargreaves I think is disgraceful. Again, it shows the disdain that the Labor Party has for the people of Tharwa, the people of Tuggeranong and the community more broadly. Anyone who disagrees with the Labor Party can expect to be slurred and can expect that kind of behaviour to be endorsed by this government and the Chief Minister.

Recently we have seen senior members of the Labor Party here in the ACT using abusive language against female press secretaries in the Liberal Party. We have seen the abusive language and Ms Gallagher defending that and explaining it away: “No, that doesn’t mean what you think it means.” If you are going to use abusive language, you should be prepared to be held accountable for it.

Mr Hargreaves has decided that it is okay for him in one of his rants to come in here again and slur the community, slur the Tuggeranong Community Council, slur Val Jeffery, slur older Canberrans and slur volunteers. That is what he has chosen to do. We are seeking through this motion today to hold him to account, to say that, in regard to this standard of behaviour which we have seen over years and years from Mr Hargreaves, he has to be called to account by the Assembly. Anyone who votes against this is, of course, in their own way, endorsing that kind of behaviour. What could you possibly have against saying to Mr Hargreaves, on behalf of the Assembly: “We think your behaviour was inappropriate. We believe you should now apologise to the Assembly and take action to rectify that poor behaviour”?

Again, we will have a situation where it appears that the Labor Party and the Greens will be getting together to give him cover for his poor behaviour. They will not hold him to account. They will not hold him to a reasonable standard of behaviour. In

doing so, they will be endorsing the way that he has shown such disdain for the Tuggeranong community, the Tuggeranong Community Council and other Canberrans that he has slurred in that way through the use of such language—people such as Val Jeffery, whom he singled out in his rant.

This motion should be supported. It should be unamended. It should not be in any way watered down to try and pretend what is going on here. Those who vote to amend this motion, to take away the sanction, to take away the moves by Mr Smyth to hold Mr Hargreaves to account, will have to answer to the Tuggeranong community as to why, through their vote today, they are endorsing Mr Hargreaves's behaviour and his rant against the Tuggeranong Community Council and members of our community.

MS BURCH (Brindabella—Minister for Community Services, Minister for the Arts, Minister for Multicultural Affairs, Minister for Ageing, Minister for Women and Minister for Gaming and Racing) (3.43): I seek leave to make a brief statement under standing order 47.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Certainly.

MS BURCH: Thank you, Madam Assistant Speaker. Just to be very clear, at the end of my speech—

Mr Seselja: Madam Assistant Speaker, on a point of order, I seek your ruling.

MADAM ASSISTANT SPEAKER: Yes.

Mr Seselja: It is not the purpose of standing order 47 to be able to engage in extra debate during a debate.

MS BURCH: I am clarifying some language, Mr Seselja.

MADAM ASSISTANT SPEAKER: Ms Burch, one moment.

Mr Seselja: If you are going to clarify language, it is ordinarily done at the end of a debate. It is not done during a debate. It is not an excuse for Ms Burch to speak again.

MADAM ASSISTANT SPEAKER: Thank you. There is no point of order. Ms Burch, please explain your words very concisely.

MS BURCH: Thank you, Madam Assistant Speaker. Can I just reiterate that towards the end I commended the amendment and I condemned the double standards of the Canberra Liberals.

MR RATTENBURY (Molonglo) (3.44): I rise briefly to reflect on the way Mr Seselja has decided to twist this debate around to suit his own purposes. He has attempted to construct a situation where he has twisted Ms Bresnan's comments to somehow be an endorsement of Mr Hargreaves's comments in the chamber last week. He is attempting to create that construct, because it suits his own purposes, when it is patently not the case. Anybody who reads *Hansard* will be clear about what

Ms Bresnan said this morning. I share Ms Bresnan's views. I believe that Mr Hargreaves's comments were unfortunate, and Ms Bresnan was very clear in her remarks about that.

Nonetheless, Ms Bresnan is also being clear about the position the Greens will be taking on this motion. Mr Doszpot in his remarks talked about this motion being about us and the standards we set in this place. That is a very interesting point, one that made me pause and think. But at the end of it I come down to the fact of what happened here in the chamber last Wednesday night.

Mr Hargreaves did come in here and make some remarks which, personally, I would not have made. There was quite some catcalling in this chamber; there was quite some yahooing going on. There was certainly a lot of noise and reaction to Mr Hargreaves's comments. But I think it is very instructive that at the end of his comments Mrs Dunne stood up and said, and I was in the chair at the time:

Mr Speaker, I move that Mr Hargreaves be given more time to pontificate on the issues relating to Tuggeranong.

Clearly this was an invitation from Mrs Dunne on behalf of her colleagues to allow the behaviour to go on. They wanted to allow Mr Hargreaves to continue with what is now being described as offensive behaviour, behaviour that was inappropriate for this chamber. We could have discussion. As I said, I do not support the way Mr Hargreaves spoke in this chamber, but the Liberal Party sought to egg him on. They sought to continue the behaviour. To come in here now and generate some confected outrage, to come in here and be all sanctimonious about this is, frankly, a double standard.

Mr Seselja went on radio on Friday morning and said that Ms Burch sat here egging him on. That is what Mr Seselja said on radio. I am sorry but Mrs Dunne stood up and sought to egg Mr Hargreaves on and encourage him in the very behaviour that those opposite are now complaining about. It is the most unbelievable double standard that you can imagine. It does complete disservice to the Liberal Party in this place for them to come in and raise this matter in the way they have. Mr Hargreaves's behaviour was inappropriate, but for this side to then stand up and somehow say, "We were not party to this," in light of what Mrs Dunne is recorded as saying in *Hansard*, is a double standard that reflects poorly on the bringing forward of this motion.

MR SMYTH (Brindabella) (3.48): I will now just speak to the amendment and some of the comments from some members, then I will close in a few moments.

In regard to the amendment, it is interesting to hear Mr Rattenbury's words. He says that the words were unfortunate; he says, "I do not support them." But Mr Rattenbury, who is also the Speaker, does nothing to hold Mr Hargreaves to account for those words.

It would appear from every speech that has been given today that no-one agrees with the words and no-one supports the words. Apparently it is not official Labor Party speak when you speak in the chamber, so they can pick and choose when they are in

the Labor Party. No-one bar the Liberal Party is willing to hold Mr Hargreaves to account.

Much is made of the comments by Mrs Dunne. It is called irony. It is called giving somebody enough rope to hang themselves, which is exactly what he was doing. It is unfortunate that instead of holding—

Ms Burch: You hypocrite.

MR SMYTH: If you are calling me a hypocrite, stand up and say it. Be brave enough to say it loudly enough.

Ms Burch: Hypocrite?

MR SMYTH: Well, there you go; now you can ask her to withdraw that, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): There is no point of order. It is an interjection only.

MR SMYTH: I am asking you to ask her to withdraw the word “hypocrite”.

MADAM ASSISTANT SPEAKER: I am just saying that there is no point of order. Please continue.

MR SMYTH: So the use of the word “hypocrite” is now permissible in this place in that manner? Thank you for the knowledge; that is very kind, Madam Assistant Speaker.

The problem is the application of the standards of this place. When I started this, I said, “This motion is about this place.” I said: “The comments cannot stand uncorrected on the *Hansard*, the record of this place. The apology is required to this place for bringing us into disrepute.” People look at us and the behaviour that occurred last Wednesday night and say, “How can that be allowed to stand?”

This amendment—I am speaking to the amendment—simply says that this event never happened. The intent in moving this amendment is to expunge the holding to account of a member and simply say:

... both the Chief Minister ... and John Hargreaves ... have spoken personally to the President ... and have subsequently written to the Council confirming their support for its valuable contribution to our community ...

That flies in the face of the statements that apparently the majority of members will now allow to stand on the record in this place. That is what is happening and that is what is wrong. That is why this motion is here today.

The amendment seeks to omit parts (3) and (4) and replace them with:

... restates its support for the work of all community councils ...

It does not require Mr Hargreaves to do anything. There is no direction from us in this place. All of us have said that we do not support it, we do not like the words and we think they are unfortunate—those sorts of words. But it is okay to let them stand!

What this amendment does today is simply say that what happened last Wednesday is acceptable. I put the case that we have to say to members who want to behave in the manner in which Mr Hargreaves behaved last Wednesday that it is unacceptable. It is clearly unacceptable because we want an apology to this place, and that is what I am asking for. This is about this place. Part (4) is about this place. You might not have read part (4), Ms Burch. It is “to require Mr Hargreaves to apologise to the Assembly for the comments he made”—for using the forms and the privilege of this place for his little rant, for his little tirade. That is what I am asking.

This is not a motion about the TCC; this is a motion about us. This amendment says that a member can say whatever they want and we do not care—for whatever reason you choose to vote against my motion, we just do not care about the standards anymore, and so much so that we will actually obliterate, remove from the motion, any attempt to hold a member to account.

I just raise it with members. I was censured for the tone of a press release—the tone of a press release; not the words, but the tone of a press release. Censured! All we have asked for here is an apology. But no. The Greens and the Labor Party do not believe that it is worthy of apology; they believe that this sort of behaviour is acceptable. That is what it says. This amendment legitimises the behaviour. It says that it is okay to come into this place in the adjournment debate and have a rant—to say whatever you want, even things that subsequently prove to be not factually correct, let alone the tone, the slur and the imputation of them—and we will let it stand.

That, members, is why this amendment should not be agreed to. What you would do is validate the behaviour of last Wednesday night. What you would validate is members coming into this place, saying whatever they want and not being held to account. That is why we will not be supporting the amendment.

It is unfortunate. I appreciate that there is argy-bargy in political debate, and good on you for attempting to turn it back onto the Liberal Party, but, at the end of the day, if this amendment gets up, these words will stand in *Hansard*, and the only people to have spoken against them and acted to confirm that they are not the views of the Assembly or that such words are not acceptable to the Assembly will be the Liberal Party.

It will be the Liberal Party that is upholding the standards in this place. It will be the Liberal Party that will be holding a member to account when the Chief Minister could have simply said: “Don’t do it. Go down and apologise.” Other chief ministers and other ministers in this place in previous governments have told members, when they believed that their behaviour was unacceptable, to go and apologise to the person personally. And that has occurred.

Apparently that is not going to happen today. It is acceptable to say things which no-one has agreed to. Nobody believes it; nobody supports it; nobody believes it is true. But with this amendment we will validate them. We will erase any attempt to hold the member responsible for his words. I urge members to not support this amendment.

MS BRESNAN (Brindabella) (3.55): I will be very brief. I was not going to say something, but I will after listening to Mr Smyth. I mean, honestly! There is this talk about upholding standards, when some of the members of the Liberal Party are the worst offenders against standards in this place. I am going to go again to the comments I mentioned in my speech. Mrs Dunne came down here in the adjournment and made some disgraceful comments about Mr Hargreaves's wife.

Mrs Dunne: Point to them. You come down here in the adjournment. You had better check your memory and then you had better come in here and apologise.

MS BRESNAN: I recall it. I will.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mrs Dunne, you have already been warned. Again, you will be named. Ms Bresnan, you have the floor.

MS BRESNAN: Thank you. And there have been comments made about public servants on the record. Honestly!

Mr Doszpot interjecting—

MS BRESNAN: Mr Doszpot, please. This is the disgraceful thing I am talking about.

MADAM ASSISTANT SPEAKER: Mr Doszpot, you will be warned as well.

MS BRESNAN: I am honestly sick and tired of it. We talk about standards in this place. It is up to all of us to do this. Mr Hargreaves has apologised. The Chief Minister has apologised. There have been personal calls made to Mr Johnston.

Mr Doszpot interjecting—

MADAM ASSISTANT SPEAKER: Mr Doszpot, you are now warned.

MS BRESNAN: There have been apologies made. This is absolutely ridiculous. We have spoken to Mr Johnston himself; I think he is just bemused by what is happening—the politics that has been put into this situation. It is extremely frustrating that we are having this debate here. Apologies have been made. It is up to all of us to maintain standards in this place. After listening to what Mr Smyth has said, I am lost for words. In terms of the behaviour and the sorts of comments we hear from members here, it is outrageous to be accused of the sorts of things he is accusing other members of, including condoning comments, which nobody is doing. That is just completely untrue, and he knows it.

Question put:

That **Ms Burch's** amendments be agreed to.

The Assembly voted—

Ayes 11

Noes 6

Mr Barr	Mr Hargreaves	Mr Coe	Mr Smyth
Dr Bourke	Ms Hunter	Mr Doszpot	
Ms Bresnan	Ms Le Couteur	Mrs Dunne	
Ms Burch	Ms Porter	Mr Hanson	
Mr Corbell	Mr Rattenbury	Mr Seselja	
Ms Gallagher			

Question so resolved in the affirmative.

MADAM ASSISTANT SPEAKER: The question is that the motion, as amended, be agreed to.

MR SMYTH (Brindabella) (4.00): Much has been said today and I am sure the public will read the words that have been said in this place today and will scratch their heads. If we are ever accused of being the house of double standards, it will rest on the debate that has just occurred.

I want to go to what Ms Burch said. She calls it a distraction. She says, “I always defend—my door is always open to—the community council.” But she will not defend them. She will not stand up for them. She talks about honesty, respect and openness. But where is the honesty and the respect for the Tuggeranong Community Council in this?

Much has been said about Mrs Dunne’s comment about allowing Mr Hargreaves more time. It is called irony: it is about giving somebody enough rope—and I am sure with more rope he would have hung himself even higher. Ms Burch said, “I want to talk about double standards,” and quoted two examples. Neither of the examples quoted occurred in this place. If members want to say stuff outside, if Mr Hargreaves wants to go and repeat outside what he said, that is his problem. What this is about is this place and it is about the lack of standards that those opposite are now voting for.

Ms Burch talked about putting things right. But we cannot without this motion. Then of course we had “I absolutely condone the double standard”. Apparently you do. Perhaps it is a little Freudian—I notice you attempted to correct it—but you absolutely do condone the double standard. This motion is not about Mr Johnston; it is actually about this place. This motion is not about the Tuggeranong Community Council; it is actually about this place.

I have spoken to Mr Johnston. I have spoken with him several times. I have even met with him. Ms Bresnan will tell you that at a public meeting—that perhaps you should have attended on Thursday night as a representative of Brindabella—I spoke with

Mr Johnston. This is not a motion about Mr Johnston. Read it: it is about this place and it is about the standard that we want to put in place and the standard that we want to maintain.

Mr Rattenbury spoke about the words being unfortunate—

Ms Gallagher: You didn't want to talk about standards yesterday.

MR SMYTH: Sorry—did not want to talk about what, Chief Minister?

Ms Gallagher: Standards, yesterday.

MR SMYTH: Speak up, Chief Minister. If you are going to interject, interject properly.

MR SPEAKER: Order, members! Let us not have a conversation, thank you. Mr Smyth.

MR SMYTH: He said they were unfortunate and he does not support them, and then he attempted to blame the Liberal Party. Why don't you hold your coalition colleague to account? If you want to blame the Liberal Party, move your own substantive motion. Go for your life. It was inappropriate, you said, and it is. But you are not doing anything about it, so the inappropriateness stands.

Ms Bresnan used words like "I mean, honestly!" Well, I do mean, honestly: this is about this place. Ms Bresnan said that the Tuggeranong Community Council have always been respectful of MLAs when we attend. And they are; they are very good and they are very nice. So how about us being respectful to them in return? Let us return that respect by saying that these words are unacceptable and by passing a motion that condemns these words.

But, no, the Greens do not agree. They do not condemn and they do not do anything to hold their coalition partners to account. That is the problem. The Greens said they were third-party insurance for the community. But they are actually third-party insurance for the ALP. It was a policy cheaply bought, I suspect. But the problem is that the community is the loser in this. Letting it stand in this way really does raise the question: what do you actually believe in?

Mr Hargreaves came down and said that he was subjected to some abuse and that foolishly he responded. He then went on to say he apologised. So there is an apology there somewhere; I will check the *Hansard* when it is written as to what the apology was and to whom. But, as was pointed out by some members, he then went on to say there was a coup, that it was all organised by somebody else. Mr Johnston, whom we all respect, is in effect the beneficiary of that coup, because, when the leadership changed, Mr Johnston got the job. So if there was a coup you are actually accusing Darryl Johnston of being part of the coup. So again it goes on; it does not stop, because Mr Hargreaves is never held to account by this place. Then of course there is the apology required for the wider council, all the members previous to a point in time; they were the ones he did not like. Who is it and how far does it go?

We have an obligation to speak from fact—and the words used the other night are not factual. It is not a council that is self-serving. It is not full of geriatrics; it is full of decent people who have a view on their community and have a right to be defended by this place. I think it is unfortunate that the apology was very clear. I have spoken to Mr Johnston several times over the last couple of days and I am not going to reveal our conversations. But I have got no hesitation in going to the council when it next meets and I will explain what I have done and what I intend to do in the future. I will have no hesitation in saying what I have done.

The problem for us here is that Mr Hargreaves is an office holder of this place. He is a whip. That is a position of the parliament. He is the whip for the Labor Party. He is responsible for discipline. He is responsible for organisation. He gets paid for it and he has a responsibility to deliver on that payment. But he has not, and that is the problem here: he is not being held to account by his Chief Minister, he is not being held to account by his party and he is not being held to account by the people in this place.

Ms Bresnan said that the Chief Minister has apologised. I suggest you read the letter that went to the community council. I assume you are a member like I am and you got the email that went out with this particular letter. It does not mention the word “apology”. If you can point out to me where it says “I apologise” or “I am sorry”, I will be very happy. But they do not exist in this letter. I will read it again; perhaps you did not hear me this morning:

Thank you for your letter of 16 January 2012 and taking my calls regarding comments made by Mr Hargreaves MLA in the Legislative Assembly on 15 February 2012.

I understand your disappointment and the concerns that you have expressed on behalf of the Council. The ACT Government does not share the views expressed by Mr Hargreaves and I have spoken to him this morning and told him so.

I understand that Mr Hargreaves has also rung you to explain his comments about the Council earlier today.

As I said to you and in the Assembly this morning, I value both your personal commitment and the Council’s active role in the Tuggeranong valley and on matters of interest across the ACT. We have developed a strong relationship over the past few years and I know that you also work well with other MLAs as well as the local Federal member, Gai Brodtmann.

I look forward to continuing our working together on issues around Tuggeranong and its residents, and I look forward to our meeting on 1 March 2012.

The word “apology” does not appear in that letter. The word “regret” does not appear in that letter. Let us not dance around it: an apology is an apology. If you think that is an apology, I think you need either to go back to English class or to buy a dictionary. There has been no apology. I give Mr Hargreaves credit for using the word “apology” this morning; I will check what he actually said.

The problem for us is that this is a motion about us; it is not about the council, although the council should have been the recipient of the surety that this motion should have given them in this place. Instead, what it has turned into is everyone in the Labor Party and the Greens denying that they support the words, but none of them have the courage to hold the member to account for his words. That is the shame and that will reflect upon all of you for a long time.

It is most unfortunate that the critical parts of this motion have been amended out. But that happens when you have got the numbers. Such is politics. But what will linger is the double standard that has just been confirmed and set; that some members in this house can say and do what they want and will never be held to account and others will be condemned for the slightest whisper or utterance. You will be known for your double standard. I am disappointed that my motion has been amended so badly and so poorly.

Question put:

That the motion, as amended, be agreed to.

The Assembly voted—

Ayes 11

Noes 6

Mr Barr	Mr Hargreaves	Mr Coe	Mr Smyth
Dr Bourke	Ms Hunter	Mr Doszpot	
Ms Bresnan	Ms Le Couteur	Mrs Dunne	
Ms Burch	Ms Porter	Mr Hanson	
Mr Corbell	Mr Rattenbury	Mr Seselja	
Ms Gallagher			

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Personal explanations

MRS DUNNE (Ginninderra): Mr Speaker, I seek leave to make a statement under standing order 46, as I claim to have been misrepresented.

MR SPEAKER: Yes, Mrs Dunne. Is this in relation to the previous matter?

MRS DUNNE: In the previous debate Ms Bresnan made a claim, which she made last Thursday and I thought last Thursday that I would let it go. But, seeing as she has repeated it, I will not let it go. She said that I came into the adjournment debate on one occasion and made dreadful comments about Mr Hargreaves's wife. That is something that I would never do and I ask Ms Bresnan to reflect on the *Hansard* and see whether her assertions are correct. I did mention Mr Hargreaves's wife in relation to the Labor Party preselection, only to say that Mr Hargreaves was advancing her cause and seeking support for her. I do not see how that could be considered to be a dreadful comment about Mr Hargreaves's wife.

MR HARGREAVES (Brindabella): Mr Speaker, I seek leave for the same purpose, to explain the slur that was put on my wife.

MR SPEAKER: You claim to have been misrepresented, Mr Hargreaves?

MR HARGREAVES: I believe that I have been misrepresented by Mrs Dunne, yes.

MR SPEAKER: Yes, you have leave.

MR HARGREAVES: Thank you very much, Mr Speaker. Mrs Dunne has asserted that she made remarks about my wife during the preselection. She also said at the same time that I was prepared to trade my job here to advance my wife's preselection processes. That misrepresents me, I said so at the time, and Mrs Dunne did not include those remarks in her latest statement to this house.

Work Health and Safety (Bullying) Amendment Bill 2011

Debate resumed from 7 December 2011, on motion by **Ms Bresnan**:

That this bill be agreed to in principle.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (4.14): The government supports the bill proceeding to debate. However, I foreshadow that I do not believe the bill offers the best way forward to deal with bullying. I will be opposing the detail of the bill. As members are aware, the government is fully committed to ensuring the health and safety of all workers in the territory. We have a long history of supporting contemporary workplace safety laws. Indeed, all members of the Assembly have shown their commendable commitment to workplace safety, as was demonstrated through the recent passage of the Work Health and Safety Act.

As I have said in this place and as others on both sides of the chamber have said before me, it is essential for workers to go to work and return home to their families safely. Workers are entitled to be free from harassment and to be free from all forms of bullying in their lives, and most particularly at work. Bullying in any shape or form is unacceptable in modern Australia and the government agrees with the Greens that we need to do all we can to ensure that it does not occur. Much more needs to be done.

While the principles behind this bill are commendable, the government is not convinced that it will add anything to the resources, policies and programs already in place and implemented through WorkSafe ACT, which is already an active regulator in this space. I would remind members that with the making of the nationally harmonised Work Health and Safety Act 2011 the government also reissued the preventing and responding to bullying code of practice.

The bill as it stands seeks to mandate that WorkSafe ACT ensure that a minimum number of inspectors are trained in, or experienced in, dealing with bullying and

psychosocial disease. By stipulating three, or for that matter any number, the bill suggests that this will solve the problem. It will not.

What is important is that there are policies, programs, information and resources available to employers and workers to quickly identify bullying issues and deal with them at the workplace. It is not enough to simply call a WorkSafe inspector in. Employers and workers must work together to resolve the issue.

We need to be proactive in dealing with this issue. We need to ensure that there is enough information and guidance available on how to deal with bullying. We need to ensure that employers and workers understand what bullying is and what it is not. The ACT government is currently doing this. We need to instil in all parties the need for early intervention to reduce the likelihood of matters escalating out of hand.

Unfortunately, far too often once inspectors are involved it is at the point where enforcement action is required and investigations needed, rather than preventing the incident in the first place. The government sees the role of the Work Safety Council as being pivotal in proactively addressing the issue of bullying in the workplace. The council is tripartite. It includes employee and employer organisations that have access to a wide range of business and industry in the territory.

It is through the council and the ACT Work Safety Commissioner that action can be taken to highlight the issue of workplace bullying and to consider and promote proactive strategies to deal with this. I understand that the council has already, of its own volition, agreed to consider appropriate and effective mechanisms to address workplace bullying at its next meeting.

I commend the council for actively addressing this very challenging issue and I look forward to receiving the council's advice. I will deal with the amendments during detail debate on the bill.

MRS DUNNE (Ginninderra) (4.19): This bill was coined in my office today a Clayton's bill. It is a bill you have when you do not need to have a bill or you are not having a bill. This is legislation for the sake of legislation. Like Dr Bourke, we will be supporting this bill to be progressed to the detail stage so that it can be fixed up. That is where it will stop. We, the Canberra Liberals, will oppose all of the substantive elements of the present bill during the detail debate with the exception of the amendment that would increase the role of the Work Safety Council by specifically giving them a remit in the area of bullying.

There is no doubt that the Work Safety Council already has that remit but the Canberra Liberals have no problem in highlighting it because we believe that bullying is an important issue. The psychosocial issues that are associated with bullying need to be addressed. It is acceptable that these functions be taken on specifically by the Work Safety Council.

In bringing forward this legislation today, it is catch-up by the Greens. The Canberra Liberals, amongst other people, have spent a lot of time highlighting the culture of bullying in the ACT government. We have heard about the 10-year war in obstetrics.

There has been a secret inquiry into bullying in obstetrics. There has been the appalling instance of bullying in TAMS. I have on my desk at the moment complaints about bullying in the Community Services Directorate, complaints of the residents of Flynn. The list goes on.

Every time we in the Canberra Liberals try to draw attention to these things, the Greens and the Labor Party fall into lockstep in an attempt to thwart it. The only occasion when that has not happened was in the case of Bimberi, because in the case of Bimberi it became so bad and there were so many systemic problems that not even the Greens and the Labor Party could refuse any longer to look at those issues.

Changing the legislation will not change the culture of bullying. Changing the legislation is important to some extent to highlight the issue, and I do believe that we should be highlighting and sending a message to the community that we will not tolerate bullying. But having the processes that are outlined by this legislation will not do a thing to address bullying.

There is a lot that needs to be done and most of what needs to be done is cultural change. The culture in this government needs to be addressed—the culture whereby one official can bully another, where officials can bully members of the community. We saw it again with the accusations that senior officials and possibly ministerial staff bullied people in relation to their submissions to the Standing Committee on Education and Youth Affairs inquiry into the Fitters Workshop. It is an instance of that bullying.

I think that we should lead by example and put an end to bullying in this place and by officials in the government, no matter which stripe of government it is. We have seen a litany of failures in this area from this government. Changing the legislation will not be enough and Ms Bresnan and the Greens' 11th hour interest in bullying does not placate the fact that they did nothing to address the serious issues of bullying in obstetrics, that they have done little to address the documented issues of bullying in TAMS and that they seem to be uninterested in the issue of bullying in relation to the Fitters Workshop, just to name a few.

This is not good legislation. It is overly onerous. It is overly regulated. The officials advised the Greens, me and my staff that much of what this bill seeks to do is already being done in the ACT. What this bill seeks to do in a highly prescriptive way and in an inflexible way is not appropriate. There should be more administrative flexibility than is allowed in this legislation as it currently stands.

I was concerned that, for instance, the bill contemplates the establishment of an advisory committee and it sets out the makeup of the committee. That did not include an employer representative, while it did include employee representatives on the committee.

There is bullying both ways. There is bullying down the line and bullying up the line, neither of which should be tolerated. I think it says something about the mindset of the Greens that in an area of workplace health and safety they did not think it was appropriate to include employers in their advisory committee, which we will not be supporting.

I think that this is an attempt by the Greens to run an issue up the flag—"Look, we are interested in workplace bullying and the nasty old parties are going to thwart us here." This will be grist for their electoral advertising during this election year. We need to see it for what it is. I predict that we will see the term "old parties ganging up against the Greens". We need to actually call it for what it is. This is overly prescriptive. It is unnecessary. It is demeaning for the Workplace Safety Council and the officials to be directed in this way. The Canberra Liberals will not be supporting these measures.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (4.25): I am speaking this afternoon to support this excellent bill that would have gone, I think, a long way towards preventing bullying in the workplace and supporting those workers who had been bullied in the workplace. I find it extremely disappointing that we do not have other parties supporting this legislation this afternoon.

I find it particularly disappointing that we do not have Minister Bourke supporting this legislation. After all, it was only back in December of last year in the *Canberra Times* that the Chief Minister said that any action that reduced bullying in the workplace would be supported by Labor. She went on to say, "I think there is no doubt that bullying in the workplace is something the government and parliament need to continually improve in terms of our management." So it is disappointing that we do not have that support from the minister.

The Work Safety Commissioner, Mark McCabe, was also quoted in that article. While he rightly said that he could not comment on the Greens' legislation, he did talk generally about bullying. He said that it was getting close attention from WorkSafe, but he believed it was only a matter of time before the territory sees its first criminal prosecution for workplace harassment. He went on to say, "I am convinced it will." He was referring to a case coming forward. "The only thing that inhibits this is the willingness of the witness to go on the record."

That is what was really at the heart of this bill. The heart of this bill was to ensure that WorkSafe ACT had on their staff at least three inspectors who had specialised experience or expertise in workplace bullying and other workplace psychosocial matters. The reason for that was that that experience, that expertise, would be used to support those workers who step forward, those who had raised initially that they felt there was something wrong in their workplace, to resolve it, to nip it in the bud, to go for that early intervention prevention side of things or, where a worker did come forward, to be able to support them through the process to the end.

This is not new. This in fact has been put in place in other jurisdictions. Both Workplace Health and Safety Queensland and WorkSafe Victoria have decided that they need this expertise and this experience—these specialised roles. From what we can see there is strong evidence that this approach is working.

I believe that this was a really good step forward for us to go with in the ACT. We know the incidence of workplace bullying is not dropping. Unfortunately, it is not dropping. We continue to get report after report after report. In fact the ACT government gave us some data only last year. That was in response to a Greens

motion. It was something like 1,600 reported cases at that point. I believe that reporting point was between January 2010 and October 2011.

We can see that there has been research in this area that has found that there were not in most jurisdictions, apart from the ones I have just mentioned, those specific trained personnel in psychosocial risk factors and that that was a limit in the training. It was a limiting factor in the training for workplace inspectors. That is what this legislation was about—ensuring we do have that expertise, that we can manage the challenge.

I believe that everybody in this place does not accept that we should have a certain level of workplace bullying and we should just all put up with it. I do not believe that is the case. That is why it is so disappointing that there could not have been, and there has not been, support for this bill today.

Mrs Dunne has come out and said that this is a Clayton's bill. She asks: "What have the Greens been doing? We have been there, we have been highlighting the problems and the instances in the ACT public service. We are the only ones that have been doing anything." I am sorry; what you have been doing is highlighting the instances, making a lot of mileage out of the misery that those people have been through and you have not put forward the solutions.

What the Greens have done is recognise that misery, recognise the economic cost in lost productivity. We have gone forward and we have put a solution on the table. It is not the magic solution to everything but it is a step forward. As I have said, this is not new. This is being done in other jurisdictions; namely, in Victoria and in Queensland. So we do not just sit here and join in the sort of loud shouting, abuse and the carry-on. We recognise that there is an issue in the ACT, like there is right across Australia, of workplace bullying. We have then moved to the solution and that is what we have put on the table.

I think that is why I find it very disappointing that we have not been able to get support, particularly from the government. As I have said, the Chief Minister has stated quite publicly that we do need to be tackling this issue and that she has a commitment to tackling this issue. I do not understand what the issue from the minister is in blocking this legislation to have these three specialised positions. Sure, there could have been negotiation about whether it was three or whether it was two. But it should have been moved forward and we should have been able to come to a resolution there.

I find it incredibly disappointing. For a government that prides itself on standing up for the worker, I think that they have made a mistake in this matter. I find it most unfortunate that they are not supporting this important legislation today—supporting it fully—particularly on this point of having WorkSafe being able to take onto its staff people who have particular expertise and experience. Minister Bourke talked about early intervention and prevention, that that is where we are going. This is part of the puzzle—this is part of the plan, if you like—of how we can sort out that early intervention and prevention.

I would like to congratulate my colleague Ms Bresnan for tabling this legislation. I know how much time and research has gone into this. I also know how long the negotiations have gone on in regard to getting support from the government and how, at the eleventh hour, problems were raised that had not been raised weeks ago. I find that disappointing as well. If you do have issues, it is always useful to be able to put that list together and not to keep coming up again and again with issues that we have not heard before, particularly only a very short time before it is due to be debated.

Again, I express my disappointment. I really think that ACT workers would have benefited greatly from this part of the legislation around putting in these people with expertise. I congratulate my colleague on all of the hard work. I do urge all Assembly colleagues to fully get behind this legislation.

MS BRESNAN (Brindabella) (4.34), in reply: I thank members for their contributions and for supporting one small element of the bill. I thank Ms Hunter for speaking in favour of the bill and for her support. The supported amendment will make reporting on bullying and other workplace psychosocial hazards a new function of the Work Safety Council. I hope that this will improve the monitoring of bullying developments in the ACT and other jurisdictions and result in recommendations to the minister to develop best practice laws and procedures. I look forward to hearing about the Work Safety Council's approach to advising on workplace bullying matters. I understand that the minister, Dr Bourke, will soon meet with the council and I would appreciate an update on these matters.

However, I am extremely disappointed, as Ms Hunter has already outlined, that the government and the Liberal Party have failed to support the key part of this bill. I note, though, that the government and the Liberals will also strike out the part of the legislation which sets up machinery for an expert advisory committee on bullying. This would have been a great asset and we note that it is actually a provision under the act.

The key part of the legislation, voted against today by the government and the Liberal Party, would have required WorkSafe ACT to have at least three inspectors with specialised experience or expertise in workplace bullying and other workplace psychosocial matters. I would just like to add to what Ms Hunter said: we did actually negotiate on this point. Again, it was an issue which came up extremely late in the process.

This is a completely reasonable ask. We know that it is needed and that it would make a significant difference to bullying matters in the ACT. It recognises that bullying and other psychosocial hazards are unique and that detecting, managing and regulating these hazards requires specialised attention. It overcomes the historical lack of action on this issue. As the Productivity Commission reported in 2010, work-related stress and the psychosocial hazards of bullying, occupational violence and fatigue that give rise to it are not being given the same attention as physical hazards in OHS legislation, nor by inspectors.

Research from the National Research Centre for Occupational Health and Safety Regulation at the ANU in Canberra also found that specific training in psychosocial risk factors was only a limited component in foundation training programs for workplace inspectors. The ACT currently has no specialist inspectors to deal with bullying and psychosocial hazards, as confirmed through questions I have put to the government.

Specialists will improve the complaint handling process, allowing bullying complaints to be investigated in a timely way and also in a way that is sensitive to psychological and social complexities. The complaint handling process is critical to ensuring victims receive resolution. Employing specialist expertise in bullying would also help with preventative measures, which is absolutely key in addressing bullying.

As I have emphasised throughout this process, bullying is a serious problem that needs a specialised response. There is a high rate of bullying in Australian workplaces, including in the ACT. The results of bullying are very serious both on people's health and on the productivity of workplaces. The evidence across the country is that improvements need to be made.

There are some facts that need to be remembered with regard to the issue. Data tabled by the ACT government at the end of last year, in response to a Greens' motion, revealed that between 1 January 2010 and 31 October 2011 there had been approximately 1,600 reported incidents of harassment, threats, verbal abuse, physical violence, bullying and assaults on government workers. In the same period there have been 48 compensation claims for injuries arising from harassment. Tomorrow the government is due to report back with more data on these matters. It will be interesting to see what comes from that data.

Australian research shows that approximately 70 per cent of employees were currently being bullied or had been bullied at some time in the past. The New South Wales Labor Council found that 74 per cent of the 840 respondents to its survey said they had been bullied in the workplace and over half thought there was a culture of bullying in their workplace. The Labor Council lists workplace bullying as the number one occupational health and safety issue.

Bullying is a serious problem in the ACT. The most recent state of the service report shows almost one in five Australian public service employees reported being subjected to harassment or bullying in the workplace. Data from work safe Australia reveals that bullying and harassment make up almost 40 per cent of accepted mental stress claims in the ACT public sector. In the ACT public sector there are consistently 100 or more successful claims per 100,000 workers. UnionsACT has reported receiving at least one complaint about bullying every week and frequently three or four complaints a week.

We have the advantage of seeing how the approach proposed in our bill has worked. Both Workplace Health and Safety Queensland and WorkSafe Victoria have decided that they need specialised expertise to deal with bullying and other psychosocial hazards. Queensland now has a psychosocial unit that includes registered

psychologists and specialists with backgrounds in fields such as social work and human resources management from high risk industries.

If you look at what experts are saying about the approaches in different jurisdictions, they are saying that the specialist approach is working. It is increasing the regulator's ability to intervene early and to help address the systemic factors that contribute to workplace bullying and other psychosocial hazards. For example, an evaluation of Queensland's psychosocial program in 2009 found that the program had secured substantial achievements, such as an increased awareness in organisations in effectively managing psychosocial issues and risks in the work environment.

I am very surprised by the response of the Liberal Party who have raised bullying as an important issue on numerous occasions. Here we have an opportunity to make a real difference, a change that we know would work and is supported by experts, and it is rejected. Instead, they vote to achieve nothing. I will go to some of Mrs Dunne's comments later. The only time anything has been done, in particular by Mr Hanson, is when there is some political mileage in it. The approach taken then was to set up an inquiry and drag people before a hearing—an approach to bullying that shows to me no understanding of the extremely sensitive matter that bullying is. The position also says that the government's current approach on bullying in the ACT is appropriate and that nothing needs to be done or nothing needs to change. In fact, I think that is actually a statement essentially made by the Liberals in a briefing.

I want to reiterate the point I raised earlier in response to the claim that the Greens' bill would require segmentation of WorkSafe's workforce. The government says that feedback from the Work Safety Council, who were shown the bill and the amendments, is that there is a concern about this. Since hearing this feedback, I have made it clear to the government that the interpretation generating the concern is incorrect. The plain words of the amendment do not require segmentation of the inspectorate. In fact, the explanatory statement says explicitly the following words:

The section does not restrict the matters on which specialist inspectors can work, ensuring that WorkSafe ACT has flexibility in how it uses its resources.

I asked the government to pass this feedback on to the Work Safety Council. My understanding is that the government did not pass that information on. Of course, I cannot contact the council, although this request was made to the minister's office. We have, essentially, had to rely on second-hand information about this. It seems this concern, which is actually not correct and is shown as such in the explanatory statement, is being used as a reason to not support the key measure in the bill. I am extremely disappointed not only for this reason but also because this was one of the points which involved a huge amount of discussion with the minister's office and the directorate.

The proposals in our legislation have support from experts in the field, from other jurisdictions and from the community. For example, I received a letter, unprompted, from Toni Mellington, who is a well-respected Australian expert on workplace bullying. She has undertaken research on bullying for the Victorian government and, in fact, it is her definition of workplace bullying that is used by WorkSafe Victoria.

She wrote and congratulated me on the legislation saying that she believed “the changes proposed by the bill are modifications likely to make ACT workplaces safer, healthier and more productive”. We have received similar feedback from experts that we have consulted, including academics from the ANU.

The changes in this bill also have the support of UnionsACT who have emphasised what a serious problem bullying is. This support has not just come from UnionsACT; it has also come from individual unions such as the Shop, Distributive and Allied Employees Association. They have emphasised to us, as so many others have, what a serious problem workplace bullying is for their members.

There has been strong support from the community for the proposals in this bill. There is a very strong sentiment in the general public that more needs to be done to address bullying. Unfortunately, we have also received considerable feedback from people who have been involved in the ACT’s existing system for handling bullying complaints who believe that significant improvement needs to be made. They are supportive of this legislation that would bring specialist expertise into WorkSafe ACT.

Mrs Dunne suggests that she will not support the key change in the bill because the legislation attempts to do something that could be done administratively. She suggests that the change could be made through a motion. I have to say that is a weak approach. It is much more robust to embed the change in the legislation so that it is lasting. That is the key point with this. A motion does not secure changes that are permanent, nor will it bind future governments or have the policy force behind it as a legislative change.

There are numerous parallels in other statutes where the statute dictates the types of people that should be employed for particular tasks. This makes sense, as the legislators want to ensure certain policy objectives are met. If the other parties wanted changes that would help address bullying, they would not use this as an excuse. Just in concluding, this could have been an opportunity to make a real difference to bullying in the ACT, which is obviously a significant and serious problem.

I am shocked by the other parties’ lack of willingness to engage and to take up any new ideas. It is an issue that the Greens will continue to pursue. I have to say it seems that we have this fear of doing something different in the ACT, but this is not a radical proposal. It is an approach that has been applied in other jurisdictions and it is an approach that is having significantly positive impacts. While there will be a small change to the Work Safety Council on reporting of bullying psychosocial hazards, it is very disappointing, including for all those groups that support this change, that long-lasting change will not be approved today.

Just on Dr Bourke’s comments, yes, we agree that education is absolutely essential, including understanding what workplace bullying actually is and its impacts. Once an inspector comes in then an incident has obviously escalated. But this is why inspectors with expertise in bullying are required—not just to deal with the matters in an appropriate way but to act as an educative means.

Mrs Dunne said that this bill will not do a thing. Mrs Dunne, the apparent expert on bullying, knows more about bullying than experts in the field—as I have already outlined, work safe bodies in Victoria and Queensland and also unions. The Canberra Liberals, once again, will only talk about bullying when they can get some political mileage out of it. Here is a chance to actually achieve some long-term change and they will not support it.

On the issue which Mrs Dunne raised about the council, we acknowledged and actually supported Mrs Dunne's inclusion of "employer representative". It is a shame that Mrs Dunne could not accept that graciously. We will use the term "old parties" because, frankly, the ideas here today, particularly from the Canberra Liberals, are tired and old. In fact, there were no ideas actually put forward—just opposition, as per usual.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4.

MS BRESNAN (Brindabella) (4.48): I move amendment No 1 circulated in my name [*see schedule 1 at page 698*] and table a supplementary explanatory statement.

This amendment, like the remainder of the amendments I will move, is a minor amendment that I have prepared in cooperation with the government as well as in response to queries raised by the Liberal Party. My understanding until very recently was that these amendments would have support of the government, and I prepared them in good faith. I have now learned—yesterday in fact—that neither the government nor the Liberal Party intends to support the key part of the legislation with or without the amendments. I refer to the key section of the bill that requires the inspectorate to have inspectors with specialist expertise in bullying matters. Nevertheless I will move these amendments for members' interest.

I briefly explain the amendment. Instead of saying "the regulator must appoint", we now use the words "the regulator must ensure". This addresses a technical concern the government raised that specialist bullying inspectors also performing general duties might need to be appointed formally under different sections. I was happy to alter the wording to remove any doubt. The amendment adds a requirement that the regulator ensures there are enough specialist bullying inspectors. This makes it clear that the inspectorate must continue to assess the extent of bullying issues and the size of the inspectorate and to ensure that the number of bullying inspectors is adequate. There must still be a minimum of three bullying inspectors, as in the original bill.

This amendment lastly addresses a concern raised by the government that someone may legally challenge what constitutes specialist experience or expertise of a bullying inspector. We have therefore made it clear that the specialist experience or expertise must be to the satisfaction of the regulator. We have left in the term “specialist experience or expertise” as we want to ensure the bill sets a high standard and that the inspectorate employs genuine experts.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (4.50): I rise to oppose the amendment. Ms Bresnan’s first amendment clarifies several matters raised since this bill was introduced in this place last year. One concern was that the bill did not provide sufficient flexibility for WorkSafe ACT to deploy inspectors as needed. The second amendment moved is only consequential in nature.

Even with these amendments, the bill would not reflect the best available means of dealing with bullying and would in fact hinder the achievement of best practice laws and procedures in the future. For that reason, in spite of our commitment to address bullying, the government has decided to oppose this amendment.

Ms Bresnan’s amendment would not change the essence of clause 4 of the bill. It inflexibly directs WorkSafe ACT, as regulator, about the training and allocation of its inspectors. It is critical that the regulator can continue to assess the scope and nature of bullying incidents over time and adjust the number of inspectors allocated to deal with these matters. We do not believe that the bill, with or without these amendments, would allow this to occur.

Question put:

That **Ms Bresnan’s** amendment be agreed to.

The Assembly voted—

Ayes 4

Ms Bresnan	Mr Rattenbury
Ms Hunter	
Ms Le Couteur	

Noes 13

Mr Barr	Ms Gallagher
Dr Bourke	Mr Hanson
Ms Burch	Mr Hargreaves
Mr Coe	Ms Porter
Mr Corbell	Mr Seselja
Mr Doszpot	Mr Smyth
Mrs Dunne	

Question so resolved in the negative.

Clause 4 negatived.

Clause 5.

MS BRESNAN (Brindabella) (4.55): I will be opposing this clause, as there was a consequential amendment that is now unnecessary.

Clause 5 negatived.

Proposed new clauses 5A and 5B.

MS BRESNAN (Brindabella) (4.56): I move amendment No 3 circulated in my name [*see schedule 1 at page 698*].

This amendment inserts new sections 2.2(1)(a)(iii) and 2.2(1)(b)(iii) in schedule 2 of the act. This amendment makes it a function of the Work Safety Council to advise the minister on bullying in the workplace and other workplace psychosocial issues. It also makes bullying in the workplace and other workplace psychosocial issues a matter that the council must inquire into and report to the minister on if the minister refers such a matter.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (4.57): I rise to support the amendment. As members would be aware, the ACT Work Safety Council is a tripartite body established under the Work Health and Safety Act. It represents the interests of workers, employers and the general community in providing advice to the government on workplace safety and workers compensation matters.

The council provides me, as the Minister for Industrial Relations, with recommendations on a range of health and safety issues across industries. For some time this has encompassed bullying and other psychosocial hazards in the workplace.

As amended, the bill provides renewed emphasis on bullying as a work safety issue. For those who may have been unsure, the bill would have then put the role of the council beyond doubt. For those reasons, we support the amendment.

Proposed new clauses 5A and 5B agreed to.

Clause 6.

MS BRESNAN (Brindabella) (4.58): I move amendment No 4 circulated in my name [*see schedule 1 at page 698*].

This amendment allows the Work Safety Council to appoint an expert committee on workplace bullying and workplace psychosocial issues. Formerly the council had been required to appoint the committee. The purpose of the original bill is still achieved, as the previous amendment makes it a function of the Work Safety Council itself to advise the minister on workplace bullying and workplace psychosocial issues.

The amendment also makes it a requirement that any expert committee that is appointed must contain one member nominated by an entity the council considers

represents employers in the ACT, and it also requires one member to have academic, professional or clinical expertise in a field relevant to workplace bullying or other workplace psychosocial issues, rather than requiring one member to have an academic expertise and another to have professional or clinical expertise.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (4.59): I rise to oppose the amendment. Ms Bresnan's amendment attempts to address concerns raised by members of our community, including the Work Safety Council. However, the council is a longstanding body that has a record of providing high-quality advice to government. There is no reason to believe that the council requires or would benefit from explicit direction on how to form an advisory committee to advise government on these matters.

The council is already, as Ms Bresnan has noted, able to form advisory committees for this purpose and has successfully used this model in the past to assist in performing in its role. For our part, the government are always able to seek additional expert advice over and above that provided by the council. Where appropriate, the government can seek the views of council members on that advice. In this context, the government are unable to support the amendment.

As always, the government welcomes this opportunity to bring further attention to the health and safety of territory workers. There is no place in modern workplaces for the kind of behaviour that this bill seeks to address. Bullying, harassment and violence are not acceptable in our community and are certainly not acceptable in our workplaces. This applies equally to our own workers in the ACT public service as well as all other workers.

The bill has drawn attention to these issues, a valuable outcome in itself. It has also presented a further opportunity to examine our laws and practices in this area and determine whether more can be done. This has involved considerable input from members of the Work Safety Council, and I thank them for their continuing contribution.

Amendment negatived.

Clause 6 negatived.

Remainder of bill, by leave, taken as a whole and agreed to.

Bill, as amended, agreed to.

Schools—Gonski review

MR DOSZPOT (Brindabella) (5.02): I move:

That this Assembly:

(1) notes:

- (a) that the Gonski Panel has recommended that the Commonwealth Government introduce a new Schooling Resource Standard (SRS), which they estimate will cost \$5 billion to implement;
 - (b) that the funding model proposed will be made up of a basic entitlement for all students, with additional funding for students with special needs;
 - (c) that the Gonski Panel recommended an independent authority to establish an annual indexation process; and
 - (d) that at present, the Commonwealth Government has not committed to:
 - (i) providing additional funding for the proposed SRS model;
 - (ii) a timeframe for delivering on the report's recommendations;
 - (iii) future funding of present arrangements beyond 2013; and
 - (iv) maintaining current levels of indexation; and
- (2) calls on the ACT Government to:
- (a) stand up for all ACT schools in their negotiations with their Commonwealth Government counterparts; and
 - (b) provide certainty to parents, students and schools in the non-government sector that they will not be worse off in real terms as a result of the proposed changes.

Madam Deputy Speaker, I rise today to speak to my motion that this Assembly calls on the ACT government to stand up for all ACT schools in the negotiations with their commonwealth government counterparts and provide certainty to parents, students and schools in the non-government sector that they will not be worse off in real terms as a result of the proposed changes.

This is a matter of considerable concern to parents in our school system. Yesterday's release of the Gonski report showed a federal Labor government that was low on tangible commitment to positive action. There were no plans on the way ahead beyond 2013. The fact is that parents, students and staff in our school system are left with a sense of uncertainty.

With the recent developments possibly having a very tangible impact on approximately 39,000 public school students and over 27,000 non-government school students, I think it is fitting at this juncture to move this motion. As I said before, it calls on this ACT Labor-Greens government to take a leadership role in standing up for all ACT schools and to give a certainty that our non-government schools will not be worse off as a result of these recent developments.

The Canberra Liberals hold a position that school resourcing is one of several factors that contribute to our students' learning achievements, yet framed in the context of a

recent development surrounding the Gonski report, the government needs to make sure that the interests of families, students and schools in our education system are the primary consideration.

As my motion outlines, some of the highlights found within the 41 recommendations are that the Gonski panel have recommended that the commonwealth government establish a new schooling resource standard—SRS—and have advised that it will cost the commonwealth and state and territory governments \$5 billion to implement. The panel proposes a funding model where all students have access to a basic level of entitlement, with additional funds to address disadvantage. There is also the panel's recommendation for a new independent authority to develop an annual indexation process.

What was the Gillard government's response? Having had the benefit of several months to review this report, the Gillard government have not given families and schools any certainty whatsoever. With the exception of Monday's assertion by schools education minister Peter Garrett that there would absolutely not be a multibillion dollar cash injection because of the report, the government have no further plans beyond negotiating with their state and territory counterparts. In addition to not committing to the costs associated with establishing the SRS and its delivery, the Gillard government have been non-committal with regard to future funding arrangements beyond 2013, maintaining indexation at current levels, and guaranteeing that school fees will not increase with changes to be implemented.

Now to Katy Gallagher's position, our Chief Minister's position. It is interesting to note that the Chief Minister's response to the federal government's position on the Gonski report has been equally ambiguous, noting that her government will need to work through the report and participate in all of the national forums. She was dutiful to say that the government will need to make sure that the ACT is not disadvantaged, yet what I found quite disconcerting—this has been confirmed by the representations I received from concerned parents—was her statement: "Then there is the issue of resourcing and what the community is prepared to pay extra into the education system to get the best students we can out of it."

I recall that in her media release she said that her first priority is to get the best deal possible for the territory. Yet getting the community to foot the bill to what is in essence a multibillion dollar commonwealth government initiative will never be a good deal for our community. It is yet again another instance of this government not understanding the very real cost of living pressures faced by Canberra families. And now she wants them to pay extra into the education system.

How is this an equitable proposition for families already feeling the financial pinch in their daily lives? We already pay some of the highest rates, charges and taxes in the country, and the Chief Minister wants us to pay extra for our children's education. There is no better sign of how this government is out of touch from the daily lives of Canberrans.

It was not long ago that the previous minister for education, Andrew Barr, proclaimed, "We will reserve the right to develop our own funding models for the ACT's share of

schools funding.” Coupled with the Chief Minister’s proposed plans, this apparently will involve slugging families where it hurts them the most: in their wallets.

Then we come to the current ACT education minister, Dr Bourke, who yesterday was not even quite sure whether it was \$4 billion or \$5 billion. What is a billion, Dr Bourke? When the federal government is spending it the way they are, I guess we cannot blame the local government—or can we?—for misunderstanding one billion out of such an important education budget.

Dr Bourke yesterday during question time talked in a scripted fashion about the essence of the Gonski review but failed to answer any of the eight questions asked of him. I have been waiting for this minister to take the lead on this Gonski review. An example that I should quote is the Victorian education minister, who I will be meeting with next week and who has made the following call on the Gillard government:

Victoria’s Education Minister Martin Dixon called for greater clarity and consultation on the Gonski review to ensure careful consideration is given to any proposed changes to current arrangements and their implications for schools, students and parents.

Mr Dixon, who called on the Gillard Government to guarantee no student or parents would be worse off as a result of the proposed changes, expressed his concern on the lack of details on how the Gillard Government plan to implement the review’s recommendations.

In the absence of any such initiative or leadership from this minister, I have tabled a motion that is here before the Assembly today. To go on with the narrative about what the community is saying about the Gonski review so far, this is what the parents are saying. The ACT Council of Parents and Citizens Associations president, Mrs Vivienne Pearce, had this to say:

... the decision to a further consultation period—on top of the 7,000 submissions already collected—was another example of ‘all talk and no action.’

We’re really concerned that they haven’t come up with a concrete timeline for when we’re going to see action.

The education of our children is too important to leave for years and years, we need to get serious about it.

Ms Felicity Williams, President of the Canberra Grammar Parents Association, noted:

Education and health are the two areas where the government is really underspending ... Our children are the future of this country and education is very important to their success. The government needs to show that it is supportive of education in all sectors, no matter which school the student attends.

Mr Bill Daniels, Executive Director of the Independent Schools Council of Australia, said:

It’s further consultation without commitment. There’s a commitment to a process, but there is no commitment to any outcome.

Most telling of all was a statement from Mr Chris Watt, Federal Secretary of the Independent Education Union, who was reported as saying that if the Gonski model of funding was implemented without a \$5 billion investment from the government to place all sectors on par, Catholic schools would be significantly worse off in the long run, particularly in the ACT. Mr Watt went further to say:

Add to that that the ACT Catholic system only gets 51.2 % (average government school recurrent costs) compared to 56.9 % in other states and territories and you'll see Canberra schools will be hit the hardest.

We're already paying a premium for Catholic Education here, with secondary school fees ranging up to \$3,500 per year compared to \$2,500 per year in a Catholic School in Sydney.

Then we come to the ACT Labor-Greens' track record. It is worthy to note that in 2010-11 non-government schools received only \$47 million from the ACT government, which equates to approximately \$1,777 per student. This is in contrast to the \$463 million allocated to the public school sector, equating to approximately \$11,871 per student. In short, the over 40 per cent of students that attend non-government schools are, in effect, saving the government money. They are also supplementing overall resources, ensuring that our public schools are not oversubscribed.

The Canberra Liberals have highlighted this issue and the need for a well resourced government and non-government education system in this Assembly on numerous occasions, yet the government's response has been firm: no investment without reform. Yet we are at the cusp of reform. This ACT Labor government's only tangible proposal seems to involve making our community foot the bill for a multibillion dollar commonwealth government initiative. This is coming from the same government that promised no school closures, but sowed the seeds for gutting our public community schools.

This is also the same ACT Labor government where in 2006 only four of their nine members supported non-government schools, with our present Chief Minister and Mr Corbell supporting the motion that stated:

ACT Labor asserts that it is not the role of Labor governments to promote private education. Instead, it is incumbent on all Labor parties and governments to unashamedly support, promote and fund public education ... The growth of private education is facilitating the fragmentation of Australia's children along ethnic, cultural and particularly religious lines.

That was supported by the then education minister, now our Chief Minister.

I recall that it was the ACT Greens who then supported an education policy that would limit commonwealth government funding to 2003-04 levels, thus appropriating approximately \$60 million from ACT non-government schools.

This government needs to give assurances to our non-government school sector. After the government's response to the Gonski report, this sector is none the wiser on what its funding status will be after 2013. The track record of this ACT Labor-Greens government requires such an assurance.

In conclusion, although the government have issued comments to the contrary, comments by the Chief Minister on getting the community to pay extra for education and the past track record of those on the opposite side of this chamber on non-government schools leave much for parents and schools to be concerned about. Hence I once again stress my motion with all of the things we have spoken about regarding the discrepancies between education in Canberra.

We support government education. We support choice. We support non-government education. But we have called on this Assembly to call on the ACT government to stand up for all ACT schools in their negotiations with their commonwealth government counterparts and provide certainty to parents, students and schools in the non-government sector that they will not be worse off in real terms as a result of the proposed changes. This motion is crucially important for this coalition government—the Greens and Labor—to give some reassurance to all of the schools in Canberra, government and non-government, along the lines of my motion.

I just recently received the amendment that the Greens and the government have not been very forthcoming in sharing with us. I must say that I will wait until it is tabled and I look forward to speaking to it, but I think it flies totally in the face of what we are trying to suggest in this motion. I call on both the government and the Greens to consider trying to do something a little bit innovative and honest and include your amendment as part 2(c) of my motion, so instead of deleting paragraphs (a) and (b), which are so crucial, you add your point as paragraph (c). Then we would be all on the same page, all of us looking after and supporting all education in the ACT. Madam Deputy Speaker, I commend my motion to the Assembly.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (5.17): I move:

Omit subparagraphs (2)(a) and (b), substitute: “consider the needs of all ACT students in their negotiations with their Commonwealth counterparts.”.

Tension about how we fund and support our schools has long been at the front and centre of Australian politics. Since the early 19th century, conflict over education policy has dominated the public landscape. Before Federation, there were early challenges by Roman Catholic and Presbyterian churches to wrest education from the Church of England and the infamous “free, compulsory and secular” education acts of the 1870s. In the 20th century, the conflict continued. We had such instances as the infamous Goulburn schools closures of 1962, the brawling over sectoral funding between a conservative Senate and the Whitlam government, and the highly publicised defence of government schools—DOGS—court case in Victoria.

What will this century bring for Australian education? What will this current national debate around the Gonski review bring for education in Canberra?

The ACT government believes that a history of contention, of “us versus them” politics, does not mean that we should stop pushing for change in education politics and policy. The case for change becomes even stronger when you realise that there is so much at stake, that such petty conflict so commonly obscures those most central to the whole process: the students.

That is why I am moving this amendment. I believe that in moderate Australia, in modern Australia, there is no longer an interest in “us versus them” warfare.

In Canberra we know our history. We know that this type of public against private schools debate that the opposition so enjoys is archaic and thoroughly unhelpful.

Mrs Dunne interjecting—

MADAM DEPUTY SPEAKER: Mrs Dunne, I remind you that you are on a warning.

DR BOURKE: As always, the Liberals have missed the point with their motion. Their concentration on the differences between the sectors, the differences between schools, makes them unable to grasp the real opportunities for education reform.

I do not believe that the review’s panel were very interested in going back to the past, back to the dark days when school policies were driven by divisive political interests, back to the place where the current ACT Liberals dwell. Instead, they were looking to achieve, or at the very least suggest, a viable path forward for better targeting funding for students in need.

I am convinced that the release of the Gonski review brings us closer to a time when federal school funding is delivered in a fairer, more equitable fashion, closer to a time when all Australian students are funded on an as-needs basis.

There is really only one way to do education policy, and that is to be informed by an evidence base—in short, to be guided by proper research and then act in consultation with the community. The Gonski review is in this mould. Its chair and panel members have long displayed a commitment to objective public policy. There is clear evidence that the review always intended to draw from the best research base across Australia and overseas, and also took it upon itself to allow extensive opportunity for all Australians with an interest in schooling to contribute. You just need to look at the number of contributions that were analysed and the length of the community consultation to know that this was the case. The panel undertook 18 months of consultation and research, visiting schools, visiting communities, taking hundreds of submissions from stakeholders.

The involvement of the ACT government in the process has been in a similar consultative vein. The previous minister provided a formal submission to the review’s panel which featured input from both the Catholic Education Office and the

Association of Independent Schools. The government, the Catholic Education Office and the Association of Independent Schools of the ACT all agreed that education funding should be distributed equitably on the basis of relative need regardless of sector, “taking into account the general educational needs of every child”.

This ACT submission drew from both a considered analysis of our school system and a strong cross-sectoral consensus on what was best for Canberra students. In it we contended that any new funding model should be simple, effective and transparent, and provide funding based on individual student need. We argued for greater requirements for schools educating a higher proportion of disadvantaged students. We argued for more transparency and more flexibility in the way funding was apportioned to students. We stood up against the unfair fiscal equalisation burden put on our schools by an obsolete commonwealth funding model. We argued that more funding be given so that the ACT can get on with the job of continuing to provide the best educational outcome for our students. In short, and to reference my amendment, we considered the need of all ACT students.

The ACT government agrees with the central premise of the Gonski review—that there is a fairer and less complex way to distribute funding for Australian students. Changes to school funding are needed to make sure our students do not continue to fall behind other parts of the world and to reduce the gap between advantaged and disadvantaged students.

I am sure that all education ministers across Australia believe that additional commonwealth funding is required across all school sectors. As put forward in our submission, and recognised in the report, there is also an ongoing need for further funding in a number of individual schools—both government and non-government schools—due to the significant numbers and greater concentration of disadvantaged students attending those schools.

We remain mindful of our ongoing commitment to the needs of all Canberra students before all else in any future negotiations. Yet if the measures suggested by the review and more funding from the commonwealth are the way of tackling these issues, we are supportive of them in principle.

It is also worth pointing out that the review acknowledges that the ACT is a high performing state with high educational standards. It is anticipated that a good proportion of ACT schools will be reflected in the school resourcing standard reference group. This is no surprise. We have great schools, we have great teachers, and we come out on top when it comes to student outcomes.

Many of the design principles of the review are already present in the ACT’s funding formula for students in schools. Aspects such as school size, English as a second language or dialect, and students with a disability are taken into account. Through Labor, the ACT has maintained a strong focus on education, and supported this priority financially.

The latest report on government services, ROGS, shows that the ACT provides around 12 per cent more funding to government schools than the Australian average.

We will make sure that in any future negotiations with the commonwealth this already high level of investment, already high level of performance and already high commitment to all ACT students, is put first.

This must be reflected in the amended motion. As the motion currently stands, it reads as if it comes from a different century. It shows for all to see that, with their divisiveness, their captivity to history and petty conflict, and their inability to appreciate the focus on individual need of students, the ACT Liberals cannot understand the reforms currently in play. This is why I have moved this amendment, to bring the motion into the 21st century and because I want the Assembly to know that this government's commitment is to all ACT students.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (5.28): I am not surprised to see this motion from Mr Doszpot today, so soon after the release of the review of funding for schooling otherwise known as the Gonski report. It is indeed timely for the Assembly to begin considering the implications of what is arguably the most important review of Australian education funding in decades.

We all now have full access to the final report, which represents the culmination of nearly two years work and has seen the expert panel in charge of the review visit 39 schools across the nation. This process has also resulted in the publication of numerous fact sheets, a paper on commissioned research, and an emerging issues paper that summarised the views presented by stakeholders during the initial listening tour and saw the expert panel receive some 7,000 submissions. In fact, some would say that the consultation on and development of the Gonski report were thorough and comprehensive, and that any logical reading of the matter shows that the time for further consultation for consultation's sake is over. Some might say that the Gillard government has turned its back on disadvantaged students and their pressing needs by refusing to commit to the funding increase recommended by the Gonski report, and that the negative attack on the report by the opposition is doing the same.

The motion before the Assembly today appears to be asking us to note the existence of the Gonski report and the distinct lack of commitment from the commonwealth government to implement any of the 41 recommendations in any kind of fixed time frames. This is primarily a statement of fact, and not in much dispute. As the ACT Greens spokesperson for education and training, I can support what I imagine the thrust of this request is, as I must admit that I too was very disappointed by the comments of the Prime Minister, which seemed to be about delaying tactics and yet another round of consultations and reviews.

I would like to take a moment to recount some of the key findings from the report, to allow the Assembly to better understand the motion before us today and the subsequent amendment that has been put by Dr Bourke. Finding No 6 states:

Australia lacks a logical, consistent and publicly transparent approach to funding schooling.

I believe that this is not a massively controversial view, and it is one that the ACT Greens, and many other commentators and education stakeholders, have long held. Finding 7 states:

There is an imbalance in the provision of funding to government and non-government schools by the Australian and state and territory governments. In particular, the Australian Government could play a greater role in supporting state and territory governments to meet the needs of disadvantaged students in both government and non-government schools.

As expected, there have been some comments made in the media over the past two days that this and other findings and recommendations made in the report may be considered an attack on the non-government education sector, the Catholic and independent schools. There have been some very tired and old arguments that the issue of schools funding is some sort of class war or is formed by a simplistic “us versus them” mentality and is not actually about the very real and contemporary issue of the slow decline of the educational standards, achievements and outcomes of too many of our children and young people.

I will move to the driving issues that initiated and were examined in the Gonski report later in my speech. Let me now continue with some of the key findings, in order to restore the real issues to this discussion today. Finding 8 is:

In recognising the many benefits of government and non-government school systems, future funding arrangements for schooling should continue to enable systems to make decisions around the redistribution and allocation of resources at the local level, with enhanced accountability.

Again, when I read this, I see a relatively fair and even balanced statement, one that should not create any great waves. Finding 10 goes on to say:

Public funding arrangements need to reflect the nature of the educational challenges faced by a system or school given its characteristics and student population, regardless of whether it is in the government or non-government sector.

I ask members to consider this point again in the coming debate, as this goes to the heart of the issue and finishes with a blunt reminder that this report is about the needs of students, regardless of whether they are in the government or non-government sector. And in what is hopefully becoming a pattern, I would like to draw the Assembly’s attention to finding 13, which clearly states:

The most efficient way to meet the Australian Government’s announcement that no school would lose a dollar per student as a result of this review is through a minimum public contribution towards the cost of schooling in non-government schools.

I believe that this finding speaks for itself.

The pattern I am drawing attention to is that the thrust of the Gonski report—the essence, if you will—is that funding should be based on need, wherever that need is.

What was the issue that was the driver behind the Gonski report’s recommendations? From my understanding of the report, apart from the need for a more transparent and fair system, the issue that rises again and again is educational performance.

While many focus, with good reason, on the estimated \$5 billion investment that the report is calling for, I am concerned that there may be some loss of focus on what it is hoped the investment will actually achieve. At first glance, the investment could be about increasing Australian funding of schools to a level closer to, but not above, the OECD average of three per cent of GDP. But this in itself does not change anything other than the numbers.

Once you read the recent research, and listen to concerns raised by various stakeholders over the previous few years, you will see that Mr Gonski has found that there has been a steady decline in student performance in Australia over the past decade. You will also see that there is a large performance gap between the highest and lowest performing students.

This issue of the educational gap based on socioeconomic status or cultural background or disability is deeply concerning and is an issue the ACT Greens have raised many times. It is why we included inquiries into the achievement gap and support for students with a disability in the parliamentary agreement.

The inquiry into the achievement gap found that on the basis of the program for international student assessment and other indicators, the ACT could be characterised as a high quality but low equity education system. There is no denying that we have excellent schools in the ACT, with dedicated and passionate educators, and on a lot of measures the ACT is doing better than the national average. We should rightly be proud of these outcomes and celebrate the positive contributions these schools make to our children and our community. But as always, there is more to be done. We cannot afford to rest on our laurels. Again, key findings from the Gonski report highlight this. Finding 19 states:

The key dimensions of disadvantage that are having a significant impact on educational performance in Australia are socioeconomic status, Indigeneity, English language proficiency, disability and school remoteness.

Finding 20 says:

There are complex interactions between factors of disadvantage, and students who experience multiple factors are at a higher risk of poor performance.

Finally, I would like to read out finding 21:

Increased concentration of disadvantaged students in certain schools is having a significant impact on educational outcomes, particularly, but not only, in the government sector.

Concentrations of students from low socioeconomic backgrounds and Indigenous students have the most significant impact on educational outcomes.

Currently in Australia the majority of students from a low socioeconomic background, or students with often multiple disadvantages or learning barriers such as disabilities, are more often than not attending public schools. Of course, there are students in these

cohorts that attend non-government—that is, independent or Catholic—schools, albeit in smaller numbers. As Gonski clearly states, funding needs to follow students no matter what their school setting is. There is a clear and present need to do more to ensure equity of outcomes for our children and young people. Importantly, the issue of funding outlined in the report focuses squarely on this need.

As I said publicly on Monday, it is vital that the recommendations from the review are progressed. There need to be achievable time frames set out and an action plan developed to implement the recommendations. What we do not need is another two years of sitting idle while too many of our children and young people fall behind and our schools remain billions of dollars underfunded.

We have a comprehensive report that outlines a way to address many of the issues that have been negatively affecting the students of Australia for years. We have the beginnings of a model of funding that, while it may have its flaws, shows the right direction in terms of making the system a more accountable and publicly understandable one in terms of funding decisions. We have recommendations that, if acted on, will see the creation of an independent and expert national schools resourcing body whose role it will be to begin the finer-detail work of establishing the schools resource standard and start the work of developing collaborative partnerships between the states and territories and the federal government, and the Catholic and independent and public school sectors. We do have great partnerships between those sectors in the ACT already.

What we have is an opportunity to act now to make a better schooling system for our children and young people, in particular those in our community who are experiencing disadvantage, and to start making the kind of investment in our nation's future that will have long-reaching and deeply positive impacts in the future. Yet what we are hearing from the Australian government and the federal opposition is that we as a society are willing to accept a lower ranking than many other OECD countries in terms of educational outcomes.

I support the government's amendments to this motion, as they refocus the motion back onto the most important players here—that is, the children and young people, the students. The Gonski report, while describing new ways of funding schools, is at its heart all about these students. For this debate to resort to pre-emptive defensiveness, calling the recommendations an attack on non-government schools, is to completely miss the point and shows a complete lack of understanding about the day-to-day realities that parents, carers, teachers and the students in our community are facing.

Although it is early days, I have not yet heard any major complaints about the recommendations from front-line teachers working in our schools, other than the view that the extra funding cannot come soon enough. I have not heard any major concerns from parents and citizens associations other than disappointment about the lack of concrete time lines. And I have heard very few negative responses from the thousands of families for whom these recommendations represent a welcome and much-needed increase in support for their children, particularly when their child has a disability.

I am disappointed—but not, unfortunately, surprised—by the quick and predictable politicking of this issue by the Liberals. Straightaway we see the wedging, the name calling, the fear mongering. The report's recommendations may have some flaws or may not be fully embraced by all groups but, for the most part, those who know the current system and those who see every day the needs being unmet are calling for action, and action now.

The report attempts to streamline and clarify an incredibly complex funding system. While I acknowledge that there are budget considerations and details to be worked out, the ACT Greens, like the vast majority of researchers, academics, commentators and other stakeholders, want to see the recommendations turned into action, commitments and time frames.

I make no apologies for repeating so much of the Gonski report and the Gonski findings in my speech today. The issues at hand stand a very real risk of being stymied by politics and therefore becoming another wasted opportunity. The Greens are loudly calling for action. As always, we are ready to start work on the important issues of ensuring equity in educational outcomes for all our children and young people, regardless of their school setting.

MR SESELJA (Molonglo—Leader of the Opposition) (5.42): I commend Mr Doszpot for bringing this matter forward. It is, I think, a reflection of the fact that the Canberra Liberals are the only party in the Assembly who support both sectors of education in the ACT. Only the Canberra Liberals back the public sector and only the Canberra Liberals are also strong supporters of choice for parents when it comes to education.

We only have to go back to our commitment to the public sector with our class sizes policy at the last election, which the Labor Party, I think, sought to have as its own. About their only education policy at the last election was to get a lesser version of the Liberal Party's lower class sizes policy. We showed our commitment to the public sector. But we have also had a longstanding commitment, in stark contrast to our opponents, to the non-government sector and to proper support for non-government students and for non-government schools. And that is in absolute contrast to the Labor Party and the Greens.

Let us go through the record. That is why people are immediately asking whether or not Gonski will be used as a cover to strip funding from non-government schools, because we know what the Labor Party and the Greens believe. Let us look at what the Labor Party believes. We know that Katy Gallagher, Simon Corbell, Wayne Berry at the time, Mick Gentleman, who is now running again, and the entire left faction of the Labor Party, and presumably that includes Dr Bourke—I imagine he voted on this particular motion in the ALP as well—believe that it is not the role of Labor governments to promote private education; instead it is incumbent on all Labor parties and governments to unashamedly support, promote and fund public education. Further, these members of the Labor Party, including the Chief Minister, believe the growth of private education is facilitating the fragmentation of Australia's children along ethnic, cultural and, particularly, religious lines. It is a disgraceful, divisive comment.

We heard Dr Bourke say, “The Liberal Party is being divisive.” Attacking religious schools, attacking ethnic schools in this way, the way the Labor Party has, the way Katy Gallagher and Simon Corbell in particular have, is divisive. That is showing what the ALP, what the Chief Minister of the ACT, believes about non-government school funding and about, indeed, their right to exist. In fact, that motion, supported by Katy Gallagher, those sentiments supported by Katy Gallagher and Simon Corbell, actually questioned the right of these schools to exist at all. It is not just about whether their funding will be indexed; they would like to see them not exist at all. They would like to see a situation where the entire education system is public.

We reject that. We believe in educational choice. We believe that parents should be able to choose to send their kids to a good local government school or, if they wish, for religious reasons or for other reasons, whatever their reasons may be, we believe that they should be supported in their choice if they want to send their kids to the local Catholic school or the local independent school, to an ethnic school, as we have seen. And that is something that we will protect. It is legitimate that these questions are asked because of the Labor Party’s record and because of their statements, particularly here in the ACT where they have shown that hostility to the non-government sector. They are not supporters of the non-government sector.

We have seen how they treated the public sector, of course. The biggest thing they have done in public education is, of course, to have gone to an election promising not to close schools and then turn around and rip the heart out of countless school communities around Canberra. So that has been their record in public education.

But let us look at what the Greens have had to say. The Greens, of course, are more extreme on this issue than the left of the Labor Party is and they take a similar view to the existence of non-government schools. They actually want to direct non-government schools in the way that they operate. They actually want to take away autonomy from non-government schools. They want to say that a religious school, a Christian school, cannot have a policy that looks to hire people who share that Christian faith. Likewise, a Muslim school would not be able to make decisions to hire people who share the Muslim faith. If a Muslim school is going to exist, if a Christian school is going to exist, if a systemic Catholic school is going to exist and have that identity, clearly they need to be able to make decisions about whether they hire people who share that view of the world or do not; otherwise they simply cease to exist in the current form. And the Greens have said that. They have said that there would be no discrimination at all in the hiring of staff.

Schools are going to make judgements and are protected at the moment in making those judgements. Non-government schools protect that particular identity. People choose that school for a particular reason. And they know that when they pay their school fees and send their kids to that school, it will have a certain ethos and a certain culture. The Greens, in their policy on education from the last election, want to take that away, as well as having funding pegged to the 2003-04 levels. So ripping the guts out of non-government schools in terms of funding as well as taking away their autonomy is the Greens’ policy. And those two things we reject absolutely.

So it is critically important to get on record, and I would like to get on record, the similar sentiment that we heard from the Treasurer today in question time. I am not sure whether other members heard this but when there was a question about funding for non-government schools, Mr Barr was very quick to interject and say it is not their money, that the money that they get is not their money. That suggests to me that Mr Barr is adopting the line that the non-government sector should not have autonomy, that they should not be able to choose how they spend money, that the government want to take that autonomy away. And it does fit with what the Labor Party has said. It does fit with what they have said when they have said that the growth of private education is facilitating the fragmentation of Australia's children along ethnic, cultural and, particularly, religious lines.

We would be happy to give Dr Bourke the opportunity to speak again to say whether he endorses that, whether he voted for that line, along with Katy Gallagher and Simon Corbell, or whether he rejects that. And he would have the opportunity to condemn those kinds of divisive statements that are such a fundamental attack on the right of non-government schools to exist. He can have that opportunity. But Mr Barr today has made it very clear that the Labor Party believes it is not their money, which of course begs the question: can they choose how to spend that money? Can they have any autonomy?

The Greens do not want them to have autonomy. It is in the Greens' policy on education. They have said this publicly. They want to take away that autonomy. They want to take away money.

So the question we need to ask, and what Mr Doszpot's motion is about, is seeking some assurance: do you support the principle that non-government schools should be getting reasonable indexation so that they are not going backwards, and indexation which reflects their reasonable costs and their reasonable growth in costs? Mr Garrett has been very careful with his language. But everyone can read between the lines. He was asked many times. He said, "No school will lose a dollar." What does that mean? Does that mean that they will have the same funding next year and the same funding the year after and the same funding in five years time as they have now? If that is the case, they will go backwards. They will go backwards significantly. Fees will have to rise. Fewer people who want to access those schools will be able to access those schools. This is a fundamental question we are asking. We are saying, as a statement of principle, we believe there should continue to be reasonable indexation. There should be support for both sectors. We should not be playing one sector off against the other, as the Labor Party has in their divisive motion.

We call on other members of this Assembly to stand with us and say: "Fine, there has been a Gonski review. But as a statement of principle we want to see fair funding for ACT schools, and we do not want to see any of our schools going backwards. We do not want to see them going back in real or actual terms." That is what we are calling on today, and that is what other members have the opportunity to vote on when this comes to a vote later.

MR HANSON (Molonglo) (5.52): I will speak only briefly. I was not intending to speak for long. But as I was listening to the debate put forward and the points made by Mr Seselja and Mr Doszpot, it did bring to focus: what do this government believe in, genuinely believe in, and can you trust them? What we are seeing is a pattern of behaviour where they quite clearly believe one thing and would have us fooled, I think, that they believe another. I think that the point that Mr Seselja just raised about the policy that was voted on behind closed doors, that was put forward and was agreed to by the left faction, including current ministers, that the growth of private education is facilitating the fragmentation of Australia's children along ethnic, cultural and, particularly, religious lines, flies in the face of the rant that we heard from Dr Bourke. And I found that quite offensive.

The language that he used in the assertion he was making that somehow this motion was deliberately trying to have that effect, I found, quite offensive. And if you go back and review what he was saying, I think that it was quite appalling that this minister could come in and make that assertion about Mr Doszpot and indeed Mr Seselja. You could note that they are both from an ethnic background. I think that for Dr Bourke to sort of suggest that somehow this was an attempt to be divisive, and it is the Liberal Party that are being divisive about these matters, is disgraceful, and I certainly will be reviewing the *Hansard* to see what it was exactly that Dr Bourke insinuated that the Liberal Party are trying to do when it comes to education and trying to pit one group against another. I think it is abhorrent that he would suggest that such a thing is occurring.

But we know that this is an election year. My warning to the residents of the ACT is: you simply do not know what this government believes when it comes to things like education.

As we saw just this week, this is a government who railed against other initiatives like drug driving. We saw Minister Hargreaves back in 2008 saying: "I am not going to be in the position of punishing ACT drug users for their addiction. The government attitude to that is clear." This is a government that spent five years calling that legislation redneck, attacking the Liberal Party for the temerity to say that this was a road safety issue, and then during an election year we see Simon Corbell, who voted against that legislation on every occasion, as did every member of the government, come out and say it is now important to support that legislation.

What we are seeing is a deep-seated belief that comes from Labor that they are trying to present a facade that is something else. And what we are seeing worse than that is their attempt to characterise the Liberal Party as something else. There is no question that Mr Doszpot, Mr Seselja and the rest of this party support both public and independent schools. But we want to make sure that as a result of the Gonski review the independent school system does not come under threat. We have seen what the Labor Party wants to do behind closed doors, and we know that the Greens' policy is that school funding should be placed on an equitable footing by reversing the excessive increase in commonwealth funding to non-government schools in recent years.

Let us be very clear here. We have an independent school system that is potentially under threat. And it is under threat, and it needs to be defended. It needs to be defended on a par with the public system. I raised the concern to residents of the ACT that although you will hear sweet nothings—in fact, you will hear quite the opposite from Dr Bourke, in his attack on the Liberals—although you will hear these murmurings of platitudes, that everything will be all right and “we will support both sectors”, when you read the policy it says something entirely different.

This is why we have heard questions in question time trying to get confirmation from the minister that he does support the independent sector, that we are not going to see reductions in funding in real terms, and the minister has refused to make those commitments. So I am appalled by some of the assertions made by Dr Bourke today, particularly on the back of the hypocrisy that we see when we actually know what Katy Gallagher, Simon Corbell and others of the left faction in the Labor Party want, and we know what the Greens’ policy is, because it is here in black and white in their education policy on their website. I just warn the people of Canberra.

At approximately 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negated, the debate was resumed.

Sitting suspended from 5.58 to 7.30 pm.

MR DOSZPOT (Brindabella) (7.30): Minister Bourke’s amendment is a very disappointing amendment in that it aims to negate two points in the original motion brought forward by us—two points in my motion that Minister Bourke actually spoke at length about supporting. Just to refresh your memory, Minister Bourke, we were calling on the ACT government to stand up for all ACT schools in their negotiations with their commonwealth government counterparts. You touched upon that in various forms throughout your speech.

The second part of the motion in (b) seeks to provide certainty to parents, students and schools in the non-government sector that they will not be worse off in real terms as a result of the proposed changes. I do not see what you would disagree with in that. That is sticking up for all sectors, including parents, students and schools in both the government and the non-government sector. I am not quite sure what it is that is so objectionable in (a) and (b) from your point of view. Then when we have a look at the amendment—“consider the needs of all ACT students in their negotiations with their commonwealth counterparts”—that also would add value to the motion that you have before you.

Minister Bourke, I think you have totally missed the essence, if you like, of my motion. I am asking for nothing more than assurances from the government that schools, both government and non-government, will not lose funding in real terms. If you have any objection to that, I would like to know what it is, Dr Bourke. You are claiming that funding under the Gonski review will be fairer, yet you have said that it is too early to make claims like that as there are a lot of negotiations to be done. Dr Bourke, you have not given any indication of the way forward.

Sadly for the government and the non-government education sector in the ACT you stand for nothing, based on what we have talked about today. You seem to understand even less about our debate here today. I thank you for the biased history lesson, but you have totally misunderstood a very simple motion. It is hard to understand how you could not understand it as you had time to get better advice and a better script for this motion; it is not as immediate as question time when you are put on the spot. But you still seem to have missed the point totally.

I re-issue my challenge, Dr Bourke, to both you and the Greens to actually join with us in supporting the motion that we have put forward so that we, as government, opposition and crossbench, can go forward and push your negotiations—because you will be the one doing the negotiations with the government. You will have the crossbench and the opposition behind you should you wish to support the motion we have before the Assembly. It is what you have been talking about.

I think Ms Hunter also touched on quite a few of the things that we wanted to achieve out of this motion. Personally, I cannot see what would make this so hard for the government to agree to—apart from the fact that anything the Liberals put forward is deemed not acceptable. I would have thought that Ms Hunter, with her slightly more forensic look at the Gonski review, would have had no problem with the motion that I have put before the Assembly today. The challenge is there again, Ms Hunter.

I am very happy to accept Dr Bourke's amendment as point (c) in my motion. I cannot vote against standing up for all ACT schools in their negotiations with the commonwealth. I cannot not agree with providing certainty for parents, students and schools in the non-government sector also that they will not be worse off in real terms as a result of the proposed changes. I think we have covered this from all angles. All that remains is for you to say, "Yes, we'll get together with you and we'll have a tri-party agreement on the way forward." So with that Don Quixote-like statement I will finish with my call for unity and let the vote speak for itself.

Question put:

That **Dr Bourke's** amendment be agreed to.

The Assembly voted—

Ayes 10

Noes 5

Mr Barr	Mr Hargreaves	Mr Coe	Mr Seselja
Dr Bourke	Ms Hunter	Mr Doszpot	
Ms Bresnan	Ms Le Couteur	Mrs Dunne	
Ms Burch	Ms Porter	Mr Hanson	
Ms Gallagher	Mr Rattenbury		

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Personal explanation

MR HARGREAVES (Brindabella): Madam Assistant Speaker, under standing order 46, I wish to make a personal explanation. An issue has come to light of Mr Coe making an allegation to the press about a note I passed to him supposedly in August 2010. The note was in poor taste and referred to the mountain bike race at Stromlo park. It has been suggested by Mr Coe that I intended it as a gay slur and as a slur against the Deputy Chief Minister. I need the record to show that I reject the premise of Mr Coe's take on the note. I have a record going back decades in which I have championed the cause of gays and lesbians in this town. I am outraged that such an accusation be made and I am most deeply insulted by the suggestion.

I acknowledge, however, that this exercise of poor judgement on my part has brought the government into possible disrepute and it has also brought this Assembly into possible disrepute. I hold both institutions dear and I am unhappy about this outcome. This scurrilous attack on me follows a series of them after I moved a motion against the Leader of the Opposition last week. The theory is to attack me, is to attack the Chief Minister and thus the government, and I must not let this happen.

I accept that I must pay a heavy price for the exercise of this poor judgement and thus I have tendered my resignation as government whip to the Chief Minister. Let me be very clear about this: I resign because of the damage the scurrilous attacks on me will have on the integrity of the Chief Minister and the government, and I reject outright the assertions of Mr Coe.

Mr Speaker, I have offered my resignation over something which occurred over 18 months ago, with a slight memory of the actual events but in the knowledge that I would never slur people in this manner. This is the honourable thing to do. I call upon the Leader of the Opposition to consider his position in relation to the events of the past two weeks. The similarity is stark.

I extend my apologies to my colleagues and my friends and most of all to my family. This exercise in poor judgement comes with a heavy price and I trust that now the matter can rest. Thank you, Mr Speaker.

Work Health and Safety (Bullying) Amendment Bill 2011 Rescission and reconsideration

Motion (by **Dr Bourke**), by leave, agreed to:

That, in relation to the Work Health and Safety (Bullying) Amendment Bill 2011, the Assembly:

- (1) rescind the resolution of the Assembly to agree to the remainder of the Bill as a whole and that the Bill, as amended, be agreed to; and
- (2) recommit the Bill at the detail stage and that the following questions be put in relation to the Bill:

- (a) that clauses 7 and 8 be agreed to;
- (b) that the Title be agreed to; and
- (c) that this Bill, as amended, be agreed to.

Detail stage

Clause 7 negatived.

Clause 8 negatived.

Title agreed to.

Bill, as amended, agreed to.

Economy

MS PORTER (Ginninderra) (7.46): I move:

That this Assembly:

(1) notes:

- (a) that confidence is a vital and significant contributor of economic activity and job generation in any economy;
- (b) that the ACT has a strong and vibrant economy and a highly skilled, innovative and diversified workforce;
- (c) that the ACT economy continues to expand and mature as investment in innovative technology reaps benefits, together with the investment in and expansion of our role as the health and education provider to the south east region;
- (d) that our economy has performed well across many sectors, with:
 - (i) very low unemployment;
 - (ii) higher average wages than the national average;
 - (iii) high average disposable incomes;
 - (iv) robust economic and population growth; and
 - (v) lower proportion of tax to Gross State Product than the national average; and
- (e) that there is a need for all ACT political parties to have coherent and detailed policies focussed on strengthening our economy and support local job and skill creation; and

(2) calls on all parties in the Assembly to:

- (a) discuss the ACT economy with measured language and robust analysis rather than reckless rhetoric and confected outrage;
- (b) support confidence in the Canberra economy by recognising and promoting our strengths, particularly in relation to other jurisdictions both within and outside Australia; and
- (c) articulate their specific policies to strengthen our economy and support local job and skill creation.

The motion I move today is very important. It is important to recognise that a strong and robust economy brings benefits to all Canberrans. It is important to recognise that confidence is an important contributor to economic activity and job creation. I imagine you would say, Madam Assistant Speaker, that this would appear to be self-evident. Unfortunately, we hear continual talking down of the economy from some members of this place.

It is irresponsible to talk down the economy, especially when it is contrary to the facts and we have seen the effects of this on the world economy. We must recognise that the ACT has a strong and vibrant economy and a highly skilled, innovative and productive workforce which continues to expand.

Our economy has performed well across many sectors. We have very low unemployment and we have relatively higher average wages and a higher average disposable income. We have lower taxation levels relative to the size of the economy or incomes compared to the national average. These are important facts.

A strong economy increases standards of living, improves quality of life, enables services to be maintained and provides specialist services to those most in need. With a strong economy, government is able to address important and ongoing issues and a sound economic base helps provide a buffer when boom times wane.

A strong economy has a positive impact on families and communities. It allows families and households to plan for the future, be that purchasing a new home, starting a new family or saving for their children's education. A strong economy offers job opportunities. It allows those that are unemployed or underemployed to have more opportunities to get back to work or to get a better job, lifting families out of poverty.

Meaningful employment for many members of our community is critical to their self-esteem and confidence. Importantly, when they acquire new skills they increase the overall skill level of all ACT workers. It allows the government to provide high quality services to the whole community through schools, hospitals, transport systems and energy options for households and businesses.

More than that, it allows us to target specialist services to the vulnerable and provide targeted concessions to those most in need. It allows these people to access greater opportunities and unlock their potential to their individual benefit and to the benefit of the whole community.

There can be no doubt that we have a strong economy. It is the fact that the ACT has one of the strongest economies in the country with the second highest economic growth behind Western Australia. But the opposition in this chamber would have us believe that the ACT's economy is in peril. They would have us believe that having the most educated, the most productive workforce with the highest average income in the world is not good enough.

It is important for all members of this place to tell us why having an economy that is the envy of the country and the world is not enough. As I said, confidence plays an important role in economic activity and investment in the economy. Talking down the economy is irresponsible.

Although the ACT has a relatively strong economy, without sound management it would not be possible for the community to share the benefits. Without this government's strong financial management we would not have weathered the global financial crisis as effectively as we did. Members will recall that it was this government that delivered five successive surpluses, including the biggest and the second biggest since self-government.

At the same time, the government addressed the chronic neglect of services to the most vulnerable and needy in our community—services for people living with disability and protection for children at risk. It was this government that addressed acute underfunding of essential services such as health, education and emergency services.

Results matter and this government delivers results for our community. We have ensured that priority services to the community are not only maintained but enhanced. Even though the world economy has placed pressure on our budget, the ACT government has adopted a plan for immediate return to surplus.

We have a plan developed during the global economic downturn and it adopts a long-term approach. It is a plan that has served this government and the community well. It ensures that we maintain services and respond to growth in the need for services, particularly in the priority areas of health and education. It also provides flexibility for adjustments should circumstances change.

This government, through its strong fiscal management of the economy, has been able to commit to and deliver the largest program of infrastructure across the territory since self-government. Positive benefits to the community from these wide-ranging investments into infrastructure and key services are substantial. This government has shown its commitment to ensuring ongoing strong economic performance and to ensuring that the positives of this are passed on to all citizens of the ACT both now and into the future.

Madam Assistant Speaker, ACT services are recognised as being high quality. A well-managed, strong economy has allowed for additional resources for our world-class health services, with state-of-the-art facilities, better access and improved patient outcomes. All this contributes to Canberrans being among the healthiest in the country.

A strong, well-managed economy has helped make Canberrans among the most highly educated in the country. We have some of the very best schools and our young people have attained very high educational standards.

A strong economy allows for effective investment in transport and municipal services such as roads, parks and gardens. It enables us to support our city's growth. Effective economic management ensures that the crime rates are low and investments can be made in community policing, emergency services and justice. In maintaining a strong economy, this government has been careful to target specific resources to those most in need. We are supporting people with disabilities, protecting our children, providing public housing and supporting the most vulnerable members of our community.

As I said before, the benefits of a strong economy need to be shared with all members of our community. The government regularly examines concessions to ensure that they provide assistance where required—that is to households on low to moderate incomes. The government has regularly adjusted concessions, including electricity, gas, water, and waste water to keep pace with the cost of living increases.

The government continues to respond to changes in demand for concessions, expanding water concession eligibility to include health care cardholders, temporary protection visa holders and asylum seekers. A home haemodialysis rebate was introduced and the spectacle subsidy and taxi subsidy schemes increased.

Free ACTION bus travel has been introduced for people over the age of 75 years and it has been implemented. The energy concession has been increased from \$189 to \$266 and an \$80 utility concession introduced in July 2011, higher than many other jurisdictions. The government has also been able to fund practical help for low income households to improve their energy and water efficiency and to reduce costs.

We know that the ACT has a strong economy. Speaking about our economy responsibly, rather than talking it down for political gain, is important to maintain competence—otherwise, our prosperity is put at risk. That is a very serious matter. Without responsible policies around employment, growth and financial management such as this government's policies, Canberrans will not realise the full benefits of this very strong economy. I call on all members to support this motion.

MR SMYTH (Brindabella) (7.55): I welcome the motion that Ms Porter has put but I did not hear a great deal from Ms Porter to support many of the things that she said here. There are some implied insults, I guess, that somebody has been reckless and somebody has confected outrage, but we did not hear too many examples of that.

Business is important. If you truly are going to have a sustainable city—socially, economically and environmentally—at the end of the day somebody has to pay for it. If you look at the last 11 years, this is not a government that has covered itself in glory when it comes to diversifying the ACT economy. It is a government that has relied heavily on taxation and increased taxation at every budget to attempt to balance the books.

At the end of 11 years, where do we find ourselves? We find ourselves with a \$181 million deficit. We can say many things about how well we have managed, what we have done and all these things, but at the end of the day, if you go out into the community and ask whether people have an enhanced sense of wellbeing and are confident that they can afford to meet the cost of living in the ACT, you will find that the simple answer is no. No, they do not. The problem is that they do not have confidence in leadership and they do not see a path forward. There is a boom and bust cycle in Canberra. Sometimes it is run by Labor governments federally and sometimes it is run by Liberal governments, but often it is this place that picks up the mess.

There is also a level of hypocrisy in some of what is said in the motion. I remember the disgraceful attacks on Kate Carnell and the double standards from the Labor Party who, at a really tough time in this city's history, did nothing but talk the economy down. They did it constantly. But no; we will forget that. We turn a blind eye to our sins, don't we? But that is politics and that is the past.

Ms Porter says in her motion that the ACT economy "has performed well across many sectors". We should consider that statement carefully. I was always told that retail was the eye on your economy—that you need to watch retail because, oddly enough, people know how things are going and how things are occurring because it is their cost of living that they feel intimately every day.

Let me look at the cost of living figures over the last 12 months. I will use the trend data, because the trend data is the preferred approach according to the Bureau of Statistics. Let me go to ABS retail trade catalogue No 8501.0. What has actually been going on in this astounding economy that Ms Porter talks about? In January 2011 it grew by 0.2 per cent. In February it contracted by 0.2 per cent. In March it contracted by 0.5. In April it contracted by 0.7. In May it contracted by 0.5. In June it contracted by 0.3 per cent. In July it was static. In August it grew by 0.1. In September it grew by 0.1 per cent. In October, November and December it did not grow at all.

Retail is the eyes on the economy. Tonight we have all watched with interest the scene that is playing out across the world. It is a world stage now that Mr Rudd stalks across. The lack of leadership at the federal level is affecting the ACT economy as well as the lack of leadership at the local level.

You only need to look at the trend data in retail sales to know that that is not an economy that is doing as well as it could—as well as it should so that we can support the essential services that people deserve and need. What happens if you go out and talk to the shopkeepers? What happens if you go out and talk to the people working in retail? I was at Tuggeranong on Friday. Talk to the book people who say that book sales are not happening. Talk to someone in a coffee shop who says, "In December I was down 20 per cent on last year." When people are not buying that extra cup of coffee—or the first cup of coffee—you have a slight problem. We can quote statistics and say, "Aren't we doing well?" or we can acknowledge the fact that it is not as good as it should be.

Let me look at the CommSec report from 23 January 2012. The three-speed economy is what they talk about now in the CommSec *State of the states* report. I know that the Chief Minister loved quoting this when she was Treasurer, when things were really rosy and, by default, we ended up at the top of the pile. But it now talks about the three-speed economy. And CommSec has now relegated the ACT to the second tier. I will quote:

In the second tier of economies are Victoria and ACT, with little separating them. Both economies benefit from above average dwelling starts and overall housing finance—for new as well as established dwellings. But while Victoria also has performed well on retail spending, the ACT lags in this area. The ACT also leads in terms of population growth compared with the long-term average. But while unemployment is low, it is now above its long-term average.

That is the problem. ACT unemployment is always low against the national average. But according to CommSec it is now above its long-term average—something that Ms Porter forgot to tell us. That is an indicator. Of course, employment is a lagging indicator. If it is above its long-term average now, and as an indicator it is lagging, it does make you question what might happen in the future.

When you go to the second page of the CommSec statement, they look at retail trade. Western Australia was the strongest, courtesy of low unemployment and its mining boom. Victoria was next, with spending 15 per cent above decade averages, followed by Queensland and South Australia. ACT is now at the bottom of the leader board, with spending up just 6.4 per cent on the decade average. Spending is also 2.7 per cent lower than a year ago. Again, let us be measured in what we say. These are indicators. We have to take these into account in the context of what is happening internationally, nationally and in the local environment. But again, that is not something that Ms Porter undertook to tell us about the state of the ACT economy.

Ms Porter says that there are lots of signs that show we have got a great economy across many sectors. She says there is very low unemployment. But our employment is above the long-term average now, so there is a problem there. We know that, for instance, retail is lagging. I like (v), which refers to the “lower proportion of tax to Gross State Product than the national average”. There is a statistic!

Let us go to gross state product. From the Australian national accounts, series 5220.0, we see a slowing. The 2006-07 percentage change from the previous year in the level per million dollars was 4.4 per cent of growth. In 2007-08 it was three per cent. In 2008-09 it was 3.5 per cent. In 2009-10 it was 3.2 per cent. In 2010-11 it was 2.8 per cent. The growth is declining. That is the trend. If that continues, we need to be very careful. If we go to the levels per capita—

Mr Barr: There is a really significant recession in most parts of the world, Brendan.

MR SMYTH: Fairly significant recession? Well—

Mr Barr interjecting—

MR SMYTH: I do not see where Ms Porter talks about it. Everything is rosy in the motion, minister. We will wait. We will have your economic wisdom shortly, no doubt.

Let us go to the levels per capita to see if they have changed from previous years. In 2006-07 there was 2.9 per cent growth. Then there was 1.5 per cent growth, 1.5 per cent, 1.3 per cent and 0.9 per cent. So you have this decline yet again. That is the problem.

Let us go to taxation revenue and consider the analysis of taxation revenue. I am not sure what hymn sheet Ms Porter was singing from, but it was certainly different from mine. According to my analysis, using Bureau of Statistics data from bulletin 5506.0 and state budget papers, the ACT ranked first in taxation per capita in 2009-10, the last year for which the data is available. Ranked first—the highest taxing jurisdiction in the country. In 2008-09 the ACT was first. In 2007-08 the ACT was first. In 2006-07 the ACT was first. In 2005-06 we came second to Western Australia.

When you take some of this data that Ms Porter did not mention you need to have an air of concern about what is truly going on out there all the time, in the context of world events and national events, when people are worried about the cost of living. We know that water has gone up, electricity has gone up and rates have gone up. Childcare has gone up at a tremendous rate, well beyond the CPI.

The motion talks about parties putting their policies on the table. I reckon that is a good part of this motion. Let us put our policies here on the table. Let us start with the government's capital development program, *Towards our second century*, from August 2008. It is a document that is a policy disgrace. It is just a ramble through some things we have done and some things we might do. What it does point to is how bereft the government is when it comes to policy.

If I recall rightly, in April we are going to get an industry policy from the minister. We look forward to that. That was one of the announcements when Ms Gallagher took over—that we would finally get an industry policy. We have not had one. Really we have not had one since the white paper came out in December 2003. To give Ted his due, we had four themes; there were nine strategic sectors; there were 47 recommendations. There were things to do in this document. It actually did say: "This is what we have got; this is what we are good at. Let us build on that." That is not an unreasonable strategy. But there is no strategy in the August 2008 document, and there has been nothing since.

The government commissioned a report on the clean green economy that they sat on for two or three years before it was released. Why? What was the need to sit on that report? I hope the questions will be answered by the minister.

What about one of our biggest industries, for instance—tourism? Here is the five-year strategic plan for tourism for 2009-13. It is about 30 pages. There are a lot of motherhood statements, but there is not a target. There are no objectives in it. It is not really a plan. It is a strategic plan. There is our last strategic plan for tourism, from

2001-05. It breaks it up into four key areas of development. It looks at a number of sectors inside each of those—whether we build up accommodation, what attractions there are and what the various sectors inside tourism are, making sure we have got the staff and the infrastructure in place to support them. That is a real tourism master plan. When we only produce strategic plans, we get what we expect from this government—lots of rhetoric and very little.

Members, I refer you to an ACT firm called Spark Solar. Spark Solar came and saw the Greens, the government and the Liberal Party before the 2008 election. There was a very exciting attempt to diversify the ACT economy—to bolster the manufacturing sector, of all things. They wanted to build a factory—yes, a factory. They wanted to provide employment for different sorts of people who perhaps would not normally get a good go here in the ACT because we do not have too many factory-type situations in the ACT.

It was quite a detailed proposal. When we spoke with the Greens about who might form government, one of their questions was “Would you support Spark Solar?” We said, “Yes, we would.” Here we are, three years and four months later, and nothing has happened with Spark Solar. There is an attempt, a genuine attempt, to diversify the ACT economy. They have been let down by the Labor Party and by the Greens because, for one thing, in 2006, let us remember, the government virtually wiped every business support program in the ACT and gutted the tourism budget. That was good for diversifying the ACT economy!

Then they make this claim that we have never had a strategic plan for business. I have dusted off a number of documents of the Liberal Party—even this lovely one from back in 1996, when we had a thing called *Canberra: a capital future*. If we want things on the table, Ms Porter, I could not agree more. I look forward to you, minister, tabling all your government’s plans. You have been there for 11 years but the reality is that apart from some fairy floss there has not been a genuine attempt to diversify the ACT economy.

Why is that? It is because the government just does not believe in it. What did Mr Stanhope say in 2008? He said:

... we have to acknowledge that economic diversity opportunities are limited ...

I suspect that economic diversity opportunities are limited only by your imagination, your level of activity and the zeal with which you apply yourself to the job. What did Ms Gallagher say in 2009? She said:

Government administration and defence account for around 31 per cent of the ACT economy. It would be unrealistic to think that this proportion would change in any significant way, even with major government intervention.

Katy has got no idea. Not going to change? She said:

The ACT will have a large government sector for a long time to come.

I hope it does, but that does not stop us having a large private sector as well. She said:

It is unclear, when there are calls made for a more diverse economy, what it means for a capital city like Canberra.

What is the final line? Ms Gallagher was asked what her vision was. She said, “As leader I am too busy to have vision.” You have to have vision. It is part of leadership. You have to have somewhere you want to go to.

It is interesting that in December 2011, in a report called *Business bearing the burden: the size and impact of state government business taxes*, the IPA said that the ACT needs to ensure sustained economic growth. It said:

... in the longer term the ACT needs to develop a critical mass of private sector industries, which would in turn drive business investment and employment growth.

Couldn't have said it better myself.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (8.10): It is an important time for us to debate the strength and future of our economy. We are all very aware of the global economic circumstances, and history has shown us that whilst it is possible for us to escape the worst of global events we are nevertheless susceptible to the global economic reality.

There can be no doubt that by almost any measure the Australian economy is doing very well compared to the rest of the OECD and that the ACT economy is doing very well compared to other Australian jurisdictions. Unemployment is low. In December 2011 it was 1.5 per cent lower than the national figure. Canberrans earn an average \$200 a week more than the national average. That said, there of course remains much work to be done, and many reforms are necessary to ensure our continued economic prosperity.

Today's debate is a good opportunity for us to reflect on the make-up of our economy and the issues and challenges before us and to put on the record our respective policies for addressing those issues and challenges.

There are a number of parts to the motion and I will attempt to go through them one at a time. The first point is about the importance of confidence in the economy. I do not think anyone underestimates the importance of confidence in maintaining a strong economy. One only has to look at the equity markets responding to the news every day to see how much the economy depends on prevailing market sentiment and how the level of confidence in the economy impacts on investment decisions—decisions which of course translate to jobs.

As I said earlier, we do have a healthy economy, and there are few if any indicators to suggest otherwise. We do have a highly skilled, well-educated and innovative workforce. This is something I will return to later and something that the Greens believe we should focus on.

The interesting part of this clause in the motion is the statement that we have a diversified economy. A third of our economy, as Mr Smyth said, is public administration and safety and it is inevitable that it will remain the dominant sector in our economy for some time to come. The Greens recognise that this will be the case and that, assuming that Gina Rinehart does not get her way but that much of the commonwealth administration remains in Canberra, we will continue to be disproportionately affected by the commonwealth government's expenditure decisions.

However, I think we all agree with the principle that we need to encourage other sectors of the economy. It is worth considering the current make-up of our economy and our options for future economic prosperity. Currently, construction accounts for about nine per cent of our economic activity; professional, scientific and technical services for about 7.5 per cent; education and training 5.1 per cent; and financial and insurance services 4.9 per cent.

Clearly there is a substantial gap between the public service and other sectors. It is worth noting that there are a number of other economies that also have dominant sectors, such as mining in Western Australia. The challenge for us is to develop a strategy and to implement policies that ensure we have alternative economic opportunities to maintain our prosperity as we respond to both changes in commonwealth activity and the challenges of climate change.

We do have a strong education sector, and this is something that the Greens have always argued we should continue to invest in because of the enormous long-term benefits it will bring. Equally, many times in this place I have stood up and advocated for a range of other sectors that we should be looking towards to generate our future economic opportunities.

Earlier today we heard Mr Corbell talking about the success of the feed-in tariff and the process to date for creating a large-scale generation facility in the ACT. Of course the Greens very much agree with this initiative and everyone knows how strongly we have advocated for the renewable energy sector over many years.

Mr Corbell also spoke of the range of economic benefits that will accrue to the territory as well as the environmental ones. It is a sustainable industry that will create jobs and utilise and create a market for much of the innovation that occurs in research institutions here in the territory and many of the skills that are taught at the CIT. This is a particularly tangible example of diversifying the economy. It is disappointing, given we know Mr Smyth's desire to diversify the economy, that the Liberal Party did not support the initiative.

Also today we debated a motion on waste and the Greens very clearly stated our view that we needed to ensure that to the greatest extent possible we source separate our waste so that we can use it again at its highest value use. Recycling and material recovery will be an important part of any sustainable economy. We have an opportunity now to ensure that the systems that we put in place will be able to respond to changes in our community and will not depend on a throwaway, waste-generating culture.

There are many economic benefits as well as environmental ones from this approach, and I am very pleased that the Assembly did support the Greens motion this morning. It is disappointing that the government did not recognise all the opportunities that we so urgently need to avail ourselves of if we are to respond to the challenges before us.

The next part of Ms Porter's motion talks about the continued expansion and maturing of our economy, our attractiveness for investment and our role in the region. Certainly our economy does continue to grow. We grew more than the national average last financial year. In fact, we had the second highest economic growth last financial year after Western Australia. We also had greater average population growth.

I would like to make a couple of observations about this issue. We need to look beyond GDP as the only measure of success. Dependence on growth is inherently unsustainable. We live in a finite world and we have to be very aware that we simply cannot continue to use resources at the rate we currently do. Increasingly, many economists across the world are recognising this problem and there is more and more literature available that recognises the problem and discusses means to address it. Probably the most well known of these is the book *Prosperity Without Growth* by Tim Jackson.

I have spoken in this place before about the need to move away from the very simplistic "growth is good" mindset and think more about our total wellbeing rather than just the gross level of churn in our economy. We need measures that provide us with a better indication of the level of happiness and wellbeing in our community. We do have the measuring our progress website, which measures seven different indicators of our prosperity. I would reiterate my support for the initiative and I hope that it does increase in prominence and that our focus does shift towards these broader issues.

I have also previously spoken about the need to incorporate equality measures such as the Gini coefficient in our discussions about the economy so that we are aware of income distribution as well as average wealth. We know that we are, on average, a wealthy community and that using averages can distort the difficulties experienced by many who are low income earners.

I would make the point that a number of the indicators on the website have not been updated for some time. I do accept that some of the data is not frequently collected by the ABS and that nationally we do also need to address these issues and keep this information contemporary so that we can see what effect various initiatives are having.

Just on the issue of income distribution and the cost of living, I would make the observation that I have not heard the Liberals mention the Gini coefficient when they talk about the cost of living. It is concerning that they do not appear to have turned their minds to how our community distributes wealth amongst ourselves and how easy it is to complain about the cost of parking fees, when the real issue for most people or for many people in our community is how they are going to pay for food and rent.

The last part of the motion that we are being asked to note is about taxation here in the territory. The motion asserts that we have a lower proportion of tax to GSP than the national average. There are of course a number of factors that contribute to this, but I think the most important point to recognise is that we are a unique economy and that we should be focused on getting the settings right for us.

Recently I have talked about the importance of the Quinlan tax review. The Greens' view is that we should all have the opportunity to evaluate the review and then be able to have an open, public debate, a conversation with the community, about how the ACT government should generate the revenue needed to provide the many services that the community expects and relies on.

Last week in the debate over the lease variation charge I talked about the benefits of being able to use government charges as levers for better practices and better outcomes for the community.

It is very important that the community knows what each of the parties in this place thinks about how revenue should be generated. The Greens have said that as much as possible we should be pricing in externalities and creating market settings to ensure we can respond to the challenges of climate change and peak oil while also ensuring that where possible we prevent government charges from distorting the efficient allocation of resources and allow initiative and enterprise in the market to respond to the challenges before us.

We need a green sustainable economy and we need a coordinated strategy for how to get there. This means we need more than a few incentive programs or concessions. We need to work out a plan for how we are going to have a prosperous economy that produces 40 per cent fewer greenhouse gas emissions in just eight years. Many of our fundamentals will have to change. We have to generate energy differently and use significantly less of it. We have to change the way we get around, where and how we build buildings, the public infrastructure we invest in, how we deal with our waste, and ensure that products and services that we want to export to the rest of the country, and indeed the world, will be competitive in a 21st century low carbon economy.

We are in a reasonably good position to be able to do this, but we really do not have time for tinkering at the edges. I very much hope that the government's clean economy strategy, which is now only a month or so from completion, will consider all of these issues. We all want sustainable business activity and we should be encouraging people and supporting businesses that produce sustainable products and services. We should be valuing their ideas and enterprise and helping to foster a market for them here in the ACT and of course elsewhere.

Finally, the motion calls on us all to be measured in our language and ensure that we have robust evidence to support the claims that we make. The Greens agree with this sentiment and I am sure you are all aware that we are great supporters of evidence-based policy. The Greens are happy to make this commitment. We recognise the importance of business confidence in our community and very much see it as our role to create the settings that give businesses the confidence to invest in sustainable

enterprise here in the ACT. We do very much look forward to debating the merits of the competing ideas to achieve this and we will be supporting Ms Porter's motion.

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism, Sport and Recreation) (8.22): I thank Ms Porter very much for bringing this motion on for debate this evening, and I thank members for their contributions so far. It has been one of the more thoughtful debates that we have perhaps had in this place in recent times.

The motion highlights a number of important points that I think all speakers have agreed upon in relation to the relative strength of the ACT economy in the context of Australia, but most particularly in the context of the global economy. All jurisdictions have been impacted by uncertainty. I think this is pretty well accepted.

Banking crises are different from normal, cyclical downturns in economies. Without confidence in the banking system, without money flowing through the economy, as we have witnessed around the world, economic growth is quite severely choked off. It is worth noting that in economic history, recovery from banking crises is slower and more costly. To put some context around this, the global financial crisis saw real GDP contract by 0.7 of a per cent world wide in 2009 and many countries experienced double digit unemployment as a result. This was the first time since the Second World War that the world economy recorded negative growth.

But here in Australia, thanks to decisive action from the commonwealth government, supported by all state and territory governments, Australia avoided recession, and we avoided very high levels of unemployment. And within the national context, the ACT has continued to be one of the best performing jurisdictions in the country. Our state final demand increased by 4.3 per cent in the 2010-11 fiscal year, the second strongest growth in the country, behind only Western Australia. I think we are all aware of the reasons for the phenomenal growth in the economy in the west.

In the 2010-11 fiscal year the ACT's gross state product grew by 2.8 per cent, again the second strongest growth in the country. We also welcomed an above national average level of new residents to our city, an increase of 1.9 per cent in the 2010-11 fiscal year, again the second highest population growth rate in the country. We recorded the second lowest trend unemployment rate and the highest trend participation rate in 2010-11, and the more recent data has shown that unemployment in the ACT has fallen from four per cent in June to 3.7 per cent now and that the number of people in employment in the territory, at 206,100, is the highest number of people ever in employment in the history of the Australian Capital Territory. That is, I think, something to be proud of.

When Mr Smyth talks about measures of a successful economy, I do not disagree that retail trade is a good indicator, but my number one with a bullet is people in jobs, because if you do not have a job, your capacity to participate in the retail economy is significantly constrained. So employment, I think, has to be the most important factor as we move forward and seek to develop this city in its second century. A focus on employment and a focus on high-quality and sustainable jobs should be a key part of the direction of any government and, I would hope, would be shared across all parties in this Assembly.

The fact that the ACT has a very high proportion of high-quality and sustainable jobs is recognised in Ms Porter's motion and indeed is backed up by the economic statistics. Our gross household disposable income per capita was 63.5 per cent higher than the national average and our full-time average weekly earnings were 15.3 per cent higher than the national average in the 2010-11 fiscal year.

The CommSec report that Mr Smyth referred to spoke of the strength of the ACT housing market and the performance of this market compared to the relatively weak performance nationally. We have seen in the territory the consumer price index through the 2010-11 fiscal year rise by only 2.7 per cent, the smallest growth rate in the country, and overall the CommSec report, the *State of the states* report that has been referred to earlier, ranked the ACT's economic performance as the second best in the last eight reports. In December last year, Standard & Poor's reaffirmed the ACT's highest possible AAA credit rating and it said that "the ratings on the ACT reflect ... a soundly performing economy".

At the onset of the global financial crisis, no-one could predict the impact or the course of the crisis. The ACT government's budget plan was developed in an environment of uncertainty, with the objective of returning the budget to surplus over a measured time frame. Our plan aimed to support growth whilst driving administrative efficiencies through annual savings targets, and we have implemented this plan and other plans to support macroeconomic and microeconomic goals within the territory.

We are releasing pent-up demand in the housing market, we are relieving some inflationary pressure and improving housing affordability and we have supported productive capital investment when the private sector was withdrawing due to the GFC. We have maintained economic activity and employment in the short term and improved the economy's productive capacity for the future, all key elements of responsible economic management.

As a result of the early success of this strategy, we did advance our target to return to surplus by two years but have done so on the basis that we will maintain the high-quality services that the Canberra community expects. We have planned for expenditure growth to reflect a growing population, particularly in the area of health.

As we have heard many times, the public sector accounts for a significant proportion of the ACT's total employment. There are two ways to look at this. Some look at it negatively. My view is that it provides the territory with a very stable labour force and a strongly performing economy but it does not remove the need for growth in private sector employment, nor does it remove the need for economic confidence.

Just as confidence plays a major role in a family's decision to save or spend, it does so in a business's decision to invest and to hire. A lack of confidence will result in increased saving, less expenditure; in a business context, a reduction in hiring and the deferral of new investment; and in the context of financial institutions, as we have undoubtedly seen around the world, great wariness when it comes to lending. Without lending, without investment, without expenditure, our economy grinds to a halt. So

anything that affects confidence, such as careless words and unnecessary attacks on the economy, certainly has a real impact on the lives of Canberrans.

I think the important message in Ms Porter's motion tonight is that for the sake of scoring cheap political points, you may in fact end up doing yourself and the territory economy a great disservice. And it is a particularly cavalier way to treat the territory's economic future.

In the context of the outlook for the future and what I think will be an important debate on industry policy, I think I have indicated already some of the parameters that I have set around policy development in this area from the government's perspective and if it is not already clear to everyone, I do not adhere to some old-style 1950s or 1960s industry policy of a heavy-handed, interventionist approach to the economy.

I think the greatest thing that we can do is maintain a competitive, robust and economically efficient revenue base that achieves a dual goal, as Ms Hunter has indicated, of providing sufficient resources to provide the services that the community needs and at the same time providing a competitive edge for this economy over particularly the New South Wales economy that surrounds us, more particularly in the context of other jurisdictions seeking investment. So in my view, rather than picking winners we should be focusing on our broad policy settings.

MS PORTER (Ginninderra) (8.33), in reply: I thank members for their contributions to the debate. However, Mr Smyth's contribution served only to strongly reinforce the reason for clause (2)(a) of my motion, as what he did for most of his allocated time was to talk down our economy. He talked down this government's record of achievement and he talked down this government's fiscal management. This is a very foolhardy approach.

Secondly, on the need for all ACT political parties to have coherent and detailed policies, Mr Smyth spent most of his time being disparaging about the government's record and dismissive of the fine record of policy reform of the Gallagher government. We heard nothing of their detailed policies, just assertions about what they had done. I have already mentioned the parlous state of many parts of our ACT service delivery that this government inherited when it took power, the legacy of the Liberals.

I thank Ms Hunter for her positive contribution and her thoughtful commentary on the ACT economy. I do thank her for her commitment on behalf of her party to continue to work with this government in a positive way to support economic growth.

As the minister emphasised, we have a strong and successful economy, whilst still recognising the challenges of the world's situation. However, as the minister said, jobs are a clear indication of our economic health, and certainly high employment can only serve to increase our economic health and increase the wellbeing of our community. I thank members for their contributions to this debate this evening.

Motion agreed to.

Roads—William Hovell Drive

MRS DUNNE (Ginninderra) (8.35): I move:

That this Assembly:

(1) notes:

- (a) the significant amount of traffic congestion on William Hovell Drive, particularly during the morning peak-times; and
- (b) the congestion caused by the exit from the Gungahlin Drive Extension to Parkes Way exacerbates the congestion on William Hovell Drive; and

(2) calls on the ACT Government to:

- (a) table by the close of business on Thursday, 23 February 2012, any statistical data and analysis thereof already held relating to vehicle counts and traffic flows on William Hovell Drive; and
- (b) table in the Assembly by the first sitting day in May 2012:
 - (i) statistical data of daily vehicle counts on William Hovell Drive, in both directions, over a period of at least two weeks that does not include school or public holidays and split as to:
 - (A) peak times; and
 - (B) other times;
 - (ii) an analysis of that data;
 - (iii) based on that data and that analysis, an assessment of the delays experienced by motorists during peak times; and
 - (iv) a statement of the strategies and timeline the Government intends to adopt to alleviate peak-time traffic congestion on William Hovell Drive.

As a loyal member for Ginninderra, I want to draw to the Assembly's attention tonight the problems that people have been complaining to me about for some time about William Hovell Drive.

Members who have been around and residents will remember that in about 2003, with great fanfare, the Stanhope government duplicated William Hovell Drive, at great expense. They tore up all of the carriageway that was there and put it down again, only to get just beyond the intersection of William Hovell Drive and Coulter Drive, and, bang, we ran out of duplication. It was bound to become a bottleneck, and it has become so now.

William Hovell Drive is one of the main distributing roads to west Belconnen and is very important in my electorate. It is of great personal interest to me and to my constituents that the future of William Hovell Drive is investigated. We see on every weekday morning various parts of William Hovell Drive that are still single lane turn into one of the longest car parks in my electorate. And my electorate deserves better than this. My community deserves so much more, especially in light of the neglect and the inconvenience that they have experienced during the building of the GDE.

The finalisation of the GDE does not solve the problems for the people of west Belconnen who use William Hovell Drive. William Hovell Drive where it meets Parkes Way is now further congested because of the inappropriate and insufficient exits off the GDE and off the parkway, where all of these places meet and become Parkes Way.

There is congestion every day on this already busy road. As a constituent said to me today, one only needs to stand at the corner of Kingsford Smith Drive and Drake Brockman Drive between half past seven and half past eight any morning of the week and they will observe traffic backing up to Belconnen Way. This creates almost a static car park for the best part of 90 minutes every weekday, but my constituent points out that for some reason it is worse on a Tuesday. It is, as they continue, a test for all the doubters that traffic at this particular intersection could get that bad.

This motion before us today is a simple, straightforward one, asking the government for some analysis. (*Quorum formed*) At least the quorum call did manage to get the Labor members for Ginninderra to come and participate. As I was saying before, this motion is a straightforward one which calls on the government to provide to the Assembly by close of business tomorrow any information they currently they have about the usage of William Hovell Drive and then by the first sitting day in May to conduct some further research into road usage and to provide analysis to the Assembly on the basis of that road usage and a statement of strategies that the government intends to adopt to alleviate the peak load on William Hovell Drive.

I noticed during the quorum call that the minister has circulated some amendments that indicate that there is some work that has already been done recently in November on William Hovell Drive and that it may be that the work that is already done is sufficient.

The problem with William Hovell Drive, as I have said, is that the duplication that was done by the Stanhope government—I think in 2003, but I stand corrected—was poorly done. I recall that the Minister for Planning at the time was Minister Corbell and that he bemoaned the fact that some trees had to be cut out to duplicate William Hovell Drive. But he does not seem to bemoan the fact that he did not get it right the first time. His record on transport planning, and the delivery of roads in the light of the GDE, does not leave me surprised that we ended up with a bad situation as a result of the work that has already been done.

Instead of spending money on vanity projects and on art on the side of the road, I think the people of west Belconnen would be better off with a few more hundred metres of bitumen in places where they have choke points.

It is not the only road in Canberra that suffers from endemic traffic congestion. Recently a constituent raised with me that it took 15 minutes from Commonwealth Avenue flyover on Parkes Way to Duntroon en route to the airport. This four kilometres of road took an economy-damaging 15 minutes, so it was no shock to me that the same bit of road appeared in the *Chronicle* today.

This is exactly the point. The Labor and the Greens on the other side will jump to their feet and slam the Canberra Liberals for being wedded to the car. But we use our roads in Canberra because this government is unable to ensure a reliable public transport system. Our economy therefore is built around roads. This government fails to help the local economy out by ensuring that the roads make it easier for people to deliver goods, for plumbers, brickies and other service people to reach their destinations, and for lawyers, doctors and even ambulances to make call-outs in a timely fashion.

The flaws with William Hovell Drive are not to blame for all the traffic problems in Canberra, but they are part of the problem. We are on a campaign to make Canberra's roads usable for the people of Canberra and for essential services. If William Hovell Drive is upgraded, or in the meantime simply monitored, the people of Belconnen will take some comfort in knowing that we understand their pain on this issue. My constituents complain to me on a regular basis about this road. It is probably the most complained about road, especially if you are visiting in areas of west Belconnen, in Holt and Higgins, or go to the Kippax shops. This is the road that people most complain about it.

The people of Belconnen require more work to be done to William Hovell Drive and I think it is time for the Labor government, who think that they will be returned to government on the dutiful votes of the people of west Belconnen, to think again. The people of west Belconnen deserve services like everybody else, and it will be a problem for the Labor members out there if they do not get on board with this campaign to find ways of ameliorating the traffic jams on William Hovell Drive.

It is not just that there are traffic jams; there are also issues about the quality of the road. It has been brought to my attention—but it did not have to be brought to my attention, because I just about blew a tyre there the other day—that the new piece of road where William Hovell Drive joins Parkes Way and goes under the parkway is utterly littered with potholes. It raises an issue that should be of considerable concern—the way we build roads—because this is a recently completed road. I am very conscious of the amount of traffic that goes over that, but it is a real problem that this recently repaired road is so pitted with potholes.

ACT Labor needs to stand up for the people of west Belconnen and join with the Canberra Liberals to deliver good roads for our constituents. People of west Belconnen realise that changes to William Hovell Drive will not happen overnight, but they need to be assured that there is a path forward. They need to be assured that the government is on board, is prepared to put money in a timely fashion into dealing with this and that in the meantime it will look at ways of ameliorating the congestion on this road.

My colleague Mr Coe and I spend a lot of time talking about roads. I know that it does give some people some discontent, but the roads are means by which most Canberrans

get to work, get to school, get their children to school and get to appointments, and the congestion coming out of west Belconnen in particular, but Belconnen in general, is substantial.

I will just give you an example from this morning. Mr Smyth, Mr Doszpot and I, along with other members, were at the launch of the Brumbies at the University of Canberra and Mr Smyth came to me during a lull in proceedings and said, "If we need to be in the Assembly by 9 o'clock what time do we have to leave here to get there on time?" I said, "Really, if you go down the parkway it is going to take you at least half an hour." He said, "What will happen if I go down Belconnen Way?" And I said: "That too is congested. You will go fairly well down the GDE but once you want to turn off onto Parkes Way you will hit a car park."

I actually left a little earlier because I had my son with me and I had to make sure that he got to school on time—and it was exactly as I predicted. You roll down the GDE quite nicely, and as you get to the exits you hit a car park. As I rolled along, I looked out to the left and said to my son, "Look at all the cars there." The cars along Parkes Way and, if you looked the other way, the cars along William Hovell Drive were at a standstill at a quarter past eight this morning. Mr Smyth and Mr Doszpot left after I did and, as I predicted, it did take them more than half an hour to get from the University of Canberra via the GDE and Parkes Way to the office. And that happens every day.

Ms Porter: No, it doesn't.

MRS DUNNE: Ms Porter does not drive and I think she has a rose-coloured view about what it is like on the roads. She has a very rose-coloured view and she should start clocking her journeys. I clock my journeys, as do many other constituents, and it always surprises me how long it is taking now. A visitor to town asked me the other day what time he needed to leave home to be at such and such a place by a particular time and when I said how long it would take he said, "I used to think it would only take me a quarter of an hour to go anywhere in Canberra." And I said: "That used to be the case. It isn't anymore." At peak hour it takes people who live in north-west Belconnen in excess of half an hour to get to Civic, when once it did take a quarter of an hour, and most of the time it takes upwards of 45 minutes.

William Hovell Drive is part of the solution. It is also part of the problem. The motion here today is asking for the government to share its information with the community. What does it know about William Hovell Drive? And, in the light of that information, what strategies does it have in mind to alleviate those problems?

I commend the motion to the Assembly on behalf of the people of Belconnen.

Debate (on motion by **Ms Gallagher**) adjourned to the next sitting.

Motion (by **Ms Gallagher**) agreed to:

That the Assembly do now adjourn.

The Assembly adjourned at 8.51 pm.

Schedule of amendments

Schedule 1

Work Health and Safety (Bullying) Amendment Bill 2011

Amendments moved by Ms Bresnan

1

Clause 4

Page 2, line 19—

omit clause 4, substitute

4 Appointment of inspectors New section 156 (2)

insert

- (2) The regulator must ensure that there are enough inspectors (but at least 3) who the regulator is satisfied have specialist experience or expertise in dealing with bullying in the workplace and other workplace psychosocial issues.

Examples—other workplace psychosocial issues

1 workplace violence and aggression, including verbal and emotional abuse

2 work-related stress and burnout

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

3

New clauses 5A and 5B

Page 3, line 12—

insert

5A Schedule 2, new section 2.2 (1) (a) (iii)

insert

- (iii) bullying in the workplace and other workplace psychosocial issues; or

5B Schedule 2, new section 2.2 (1) (b) (iii)

insert

- (iii) bullying in the workplace and other workplace psychosocial issues; or

4

Clause 6

Page 3, line 13—

omit clause 6, substitute

6 Schedule 2, new section 2.16A

in division 2.1.3, insert

2.16A Advisory committee on workplace bullying etc

- (1) If the council establishes an advisory committee in relation to bullying in the workplace and other workplace psychosocial issues, the council must appoint the following members:

- (a) 1 member nominated by the regulator;
- (b) 1 member nominated by an entity the council considers represents workers in the ACT;
- (c) 1 member nominated by an entity the council considers represents employers in the ACT;
- (d) 1 member with academic, professional or clinical expertise in a field relevant to workplace bullying or other workplace psychosocial issues.

Note 1 For the making of appointments (including acting appointments), see the Legislation Act, pt 19.3.

Note 2 In particular, an appointment may be made by naming a person or nominating the occupant of a position (see Legislation Act, s 207).

- (2) The council may also appoint any other member the council considers has qualifications or expertise relevant to the functions of the committee.
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