




Speech By  
**Reg Gulley**

**MEMBER FOR MURRUMBA**

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## **EDUCATION AND CARE SERVICES BILL**

 **Mr GULLEY** (Murrumba—LNP) (8.30 pm): I rise to speak on the Education and Care Services Bill 2013, I rise to speak on behalf of the good people of Murrumba—a good place—and I also rise as a former professional who was affected by the Child Care Act 2002. I certainly compliment our side of politics for our breadth of experience and the fact that we come from a wide range of walks of life, a wide range of career paths and a wide range of value systems. I compare that to the gentlemen on my right where some 20-odd per cent had their seats bequeathed to them. Anyway, let us talk about the Education and Care Services Bill.

As I said, I was affected by this bill. The first time I came across it was during the election campaign of 2009. I was minding my own business as a business manager at a school when a gentleman called Murray Watt appeared outside my window, flapping away. He had a little piece of paper in his hands and he was very excited. He was announcing a brand new kindergarten for the school that I was working at. For history, that was part of the 240 kindergartens that the federal government funded, but was given to the Queensland Education and, to be precise, the Office for Early Childhood Education and Care to implement. If we go back to before 2009, my then principal received a flyer which said, 'Are you interested in a kindergarten? These kindies will go to regional, rural and high-needs entities.' The school that I was working at was none of those, but sure enough the second kindergarten announced as part of that program was to be built at my school. Clearly, the definition of 'high-needs' was Murray Watt's campaign.

**A government member** interjected.

**Mr GULLEY:** He did not like being taken outside to the footpath. Unfortunately, the member for Ferny Grove is no longer in the chamber, because he would be very familiar with the staff members who walked Murray off the school site and onto the footpath. That was in 2009. In 2011 we opened that kindergarten. I compliment Murray. When I shared with him that I was running against Dean Wells, Murray was very concerned that I may not have been aware that I was going up against a 26-year sitting member and that it was very unusual to win those campaigns. However, here we are.

I wish to talk about some of the quirks of the Child Care Act that I had to implement. When building a kindergarten, one knows that they have four walls. However, we had to have a main entrance, an entrance out to the play area, an entrance off to the toilet, an entrance off to the kitchen and an entrance off to the staffroom. If members are doing the numbers, that comes to five or six doors off four walls. The numbers did not add up, especially when we were building the kindy off a gully, which made it harder to get five down to one. I make a shameless plug for Michael Redford, the staff builder at that school, who managed to come up with a remarkable solution for that site.

The other thing that I was subjected to when it came to the Child Care Act involved the outside school hours care facility at the school. Lo and behold! Some very diligent and hardworking members of the education department rocked up to me and said, 'See that playground? It has to have shade.'

We said, 'What's wrong with the canopy of the trees?' They said, 'That's not good enough, sir. According to the act that we are applying, you have to put a shade sail over it.' So during the daytime the kids could get sunburnt, but when they joined the OSHC, which fell under the Child Care Act and not the education act, they had to have shade sails. So what did we do? We chopped down two perfectly good trees and spent \$10,000 to put up the shade sail.

**Mr Rickuss:** That was intelligent.

**Mr GULLEY:** But the law is the law and we all had to comply.

**Mr Rickuss:** That is ground-breaking thought.

**Mr GULLEY:** It was ground breaking, member for Lockyer.

**Mr Rickuss:** Trees do not give shade, do they?

**Mr GULLEY:** No. It is okay to be in the sun under the education act but not under the Child Care Act. Therefore, I am not sorry to see the Child Care Act 2002 go, because I do not have fond memories of it.

Let us move on to the bill. Many of the previous speakers have touched already on the fact that we are repealing the Child Care Act 2002, we are establishing a national law under legislation called the Education and Care Services National Law (Queensland) Act 2011 and this bill will introduce consequential amendments. The national law came into place on 1 January 2012. What are we talking about here? Why are we introducing this specific legislation? We are introducing it for 66 centres that do not quite fall into the one-size-fits-all regime that people who live in the Australian Capital Territory can only think of from within their experience. Even though Queensland has national laws, we have to come up with an exception based regime to consider the two per cent in the wide, glorious, provincial and varied state that we live in. In 2011 feedback was sought, stakeholders gathered and the hybrid model that we are talking about today was established. I compliment the minister on considering the regulatory burden, which the bill addresses.

Have we achieved all of the policy objectives? I would say so. We are talking about providing service approvals, which is one thing that we should all be aware of. One thing that we struggled with while trying to put our business model together was that you cannot just open up a kindergarten. You have to employ staff and you have to have X number of beds that fit into a particular space and can go onto a shelf. You have to have the curriculum accredited. You have to have the right zoning. The school was not an appropriate kindergarten site. Believe it or not, we had to get Brisbane City Council permission to put a kindergarten on the school site. I compliment the minister on considering the exceptional circumstances. I also compliment the minister on providing waivers while schools go through transitions. On staffing requirements, it is perfectly appropriate that the Child Care Act has a two-year diploma education requirement for the supervisor and that there has been a transition period for that. On that note, I would like to thank the minister for the DETE's consultation process with the service and with the schools that will be affected by the legislation.

Last but not least, I wish to talk about consistency with legislation. While this is national legislation, for those 66 schools we needed to come up with an exception. I believe that most states are treating it in different ways. Thank you for your patience tonight, Mr Deputy Speaker. I wish you well.