



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

26 MARCH 1996

Tuesday, 26 March 1996

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

AUTHORITY TO RECORD, BROADCAST AND PHOTOGRAPH PROCEEDINGS

Motion (by **Mr De Domenico**), by leave, agreed to:

That the Assembly authorises:

- (1) the recording on video tape with sound by television networks of proceedings during the swearing in of a new Member and the recording without sound of proceedings during question time today, Tuesday, 26 March 1996;
- (2) the use by any television station of any part of the recorded proceedings in subsequent news, current affairs and documentary programs and not for the purposes of satire or ridicule; and
- (3) the taking of still photographs during the swearing in of a new Member and question time today, Tuesday, 26 March 1996, and the use of such photographs in the print media generally.

ANNOUNCEMENT OF MEMBER TO FILL CASUAL VACANCY

MR SPEAKER: I have been informed by the Electoral Commissioner that, pursuant to sections 189 and 194 of the Electoral Act 1992, Ms Marion Reilly has been declared elected to the Legislative Assembly for the Australian Capital Territory to fill the vacancy created by the resignation of Mr Terry Connolly. I present a letter from the Electoral Commissioner dated 21 March 1996.

OATH OR AFFIRMATION OF ALLEGIANCE

MR SPEAKER: Section 9 of the Australian Capital Territory (Self-Government) Act 1988 and section 10A of the Oaths and Affirmations Act 1984 provide that a member of the Legislative Assembly for the Australian Capital Territory shall, before taking his or her seat, make and subscribe an oath or affirmation in accordance with the form set out in the Oaths and Affirmations Act.

The oath or affirmation is required to be made before the Chief Justice of the Supreme Court of the Australian Capital Territory or a judge of that court authorised by the Chief Justice. His Honour Mr Justice Miles, Chief Justice of the Supreme Court of the Australian Capital Territory, will attend the chamber so that the new member may make an affirmation.

The Chief Justice attending accordingly -

AFFIRMATION OF ALLEGIANCE BY MEMBER

Ms Marion Reilly was introduced and made and subscribed the affirmation of allegiance required by law.

The Chief Justice retired.

MR SPEAKER: Ms Reilly, on behalf of all members, I bid you a warm welcome to the Assembly.

LEADER OF THE OPPOSITION

Statement by Speaker

MR SPEAKER: I inform the Assembly that, on 5 March 1996, Mr Berry advised me that the Australian Labor Party had elected Mr Whitecross as its leader and that he had consented to be Leader of the Opposition. I therefore recognise Mr Whitecross as Leader of the Opposition from 5 March 1996, in accordance with the provisions of standing order 5A.

Sitting suspended from 10.38 to 11.05 am

PETITIONS

The Clerk: The following petitions have been lodged for presentation:

By **Mr Hird**, from one resident, requesting that the National Soccer Centre be developed in a location which is suited to a sporting complex of that magnitude.

By **Ms Horodny**, from 1,877 residents, requesting that the Assembly vote against any Bill that restricts the trading hours of licensed premises.

The terms of these petitions will be recorded in *Hansard* and a copy referred to the appropriate Minister.

National Soccer Centre

The petition read as follows:

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

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly: that the development of the Belconnen Soccer Centre, to International standards, in McKellar section 71 will be detrimental to our local amenity. These concerns relate especially to: the large scale and extension plans, traffic volumes, crowd & traffic noise, overflow parking in residential streets, high intensity night lighting, pollution of Ginninderra Creek and Lake Ginninderra, irretrievable damage to the wetlands and a general disturbance of peace on weekends and late at night, seven days a week. Consequently we do NOT support the development of the Belconnen Soccer Centre in McKellar.

Your petitioners therefore request the Assembly to: develop this National Soccer Centre in a location which is better suited to a sporting complex of this magnitude.

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Licensed Premises - Trading Hours

The petition read as follows:

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

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that we do not agree with a curfew being placed on trading hours of licensed premises.

Your petition therefore requests the Assembly to vote against any bill that restricts the trading hours of licensed premises:

Petitions received.

MOTOR TRAFFIC (CONSEQUENTIAL PROVISIONS) BILL 1995

Debate resumed from 14 December 1995, on motion by **Mr De Domenico**:

That this Bill be agreed to in principle.

MR WHITECROSS (Leader of the Opposition) (11.05): Mr Speaker, this Bill is consequential to a Bill that we passed at our last sitting. The Opposition would have been happy to pass this Bill at the last sitting, but on that occasion the Government wanted an early mark. We are therefore happy to pass it now. It provides supporting provisions for the Bill that we have already passed.

MR DE DOMENICO (Minister for Urban Services) (11.06), in reply: Mr Speaker, lest the Government be accused of wanting an early mark this time, I point out to Mr Whitecross that, when decisions are made in this place, it is not just the Government that makes those decisions. I will not have a go at Mr Whitecross, because he has been in his present position for only a very short time and still has not learnt the probity of what he ought to do. I am delighted that the Labor Party has decided to support this Bill, Mr Speaker. It is consequential to the Motor Vehicles (Dimensions and Mass) (Amendment) Bill. I will not waste the time of the Assembly. I am delighted that the Assembly has agreed to accept the Bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

WORKFORCE STATISTICAL REPORTS Papers

Debate resumed from 22 June 1995, on motion by **Mrs Carnell**:

That the Assembly takes note of the papers.

MRS CARNELL (Chief Minister) (11.07), in reply: Mr Speaker, I tabled the workforce statistical reports quite a while ago now. Overall in 1994-95 there had been just a small variation in the size of the ACT public service work force, I think, from 20,472 employees in the first quarter to 20,690 in the fourth quarter. As all those here would know, that tends to happen between various quarters. Certainly, there was not any of the downturn in numbers that I suspect we need in the longer term. I will be tabling the 1995-96 workforce statistical reports on a six-monthly basis. These reports will provide information at both a program level and a subprogram level. I am very confident that the new figures are comparable with those for previous years. We have always had a bit of a problem in making sure that our statistics are comparable with past years. Splitting up on a program and subprogram basis will give us an opportunity to see what is happening in the ACT government work force this year and in years to come.

Question resolved in the affirmative.

GOVERNING CANBERRA Paper

Debate resumed from 21 February 1996, on motion by **Mrs Carnell**:

That the Assembly takes note of the paper.

MR WHITECROSS (Leader of the Opposition) (11.08): Mr Speaker, perhaps the less said about this paper the better. This paper is an exercise in mopping up some fairly outrageous and ill-informed debate that Mrs Carnell tried to stimulate before the election about how the world would be a different place if we had so-called council-style government. No-one could ever get out of Mrs Carnell anything about exactly what council-style government was. She commissioned this group to go away and look at council-style government. The paper itself in no way illuminates the question of what council-style government is; no doubt, the panel that Mrs Carnell appointed was as baffled as the rest of us as to what exactly Mrs Carnell meant by that. But it was a necessary thing to get this out of the way.

It is interesting to note that most of the recommendations of this report do not deal with council-style government or making the processes of government more open and consultative or anything else; they deal with how to streamline executive government. They deal with things such as the rearrangement of ministerial portfolios, administrative arrangements, and getting a couple of senior bureaucrats into Cabinet to help them out in the Cabinet processes. Most of the recommendations in the report deal in no sense with

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council-style government; they deal with making executive government more effective and more efficient. In that sense, this paper will be, no doubt, a useful tool for students of politics all over Canberra to reflect on our style of government in the ACT and to reflect on executive-style government. As for illuminating the rhetoric of Mrs Carnell before the election, this achieves nothing.

I heard Mr De Domenico before say something about Assembly committees and that that was a way of improving the inclusiveness of the Assembly processes and involving the community more. It is interesting to note, against that background, that the very first action of the Third Assembly, under Mrs Carnell's leadership, was to reduce the number of committees and reduce the opportunities for members of this Assembly to serve on committees.

Mrs Carnell: Because that is what you guys wanted to do.

MR WHITECROSS: No, it is not what we wanted to do, Mrs Carnell. As usual, Mrs Carnell is engaging in her normal propaganda technique of completely misrepresenting the facts. Anybody who goes back and looks at the *Hansard* for this period last year will see quite clearly that the Labor Party vigorously opposed the committee system that was set up, vigorously opposed the collapsing of the environment committee into the planning committee, vigorously opposed the reduction of the number of committees from five to three. It rings rather hollow from the Government to be now saying that Assembly committees are a great way of involving the community in the process.

We look forward to seeing the Government's response to this report in some detail and how it proposes to expand the role of committees in the Assembly. It is interesting to note that, in her speech in relation to this matter, Mrs Carnell did not indicate that the Government would be coming forward with an expansive proposal on the expanding of the committees in the Assembly, and we look forward eagerly to that coming forward. It is interesting, too, to note the emphasis in this report on the role of community consultation - not defined but, nevertheless, once again reinforcing the role of community consultation. One of the hallmarks of this Government has been its lack of commitment to community consultation and its willingness to make decisions behind closed doors, not to give out the details of those decisions and to resist at every turn the publication in this Assembly or to the wider community of the activities of the Government. Again and again we have had to come into this Assembly and argue vigorously for information about the running of this city to be made public through the Assembly. Mrs Carnell's record on community consultation, on disclosure, is not a good one. A two-line recommendation saying that community consultation is a good thing does nothing to alter Mrs Carnell's appalling record on community consultation.

One last comment that I cannot resist making is that Mrs Carnell revealed in her presentation speech that the money tree had been cut down, and a very apposite point that is to make. When Mrs Carnell was in opposition, every problem could be solved by just spending a bit more money. Now that Mrs Carnell is in government, she has discovered that the money tree has been cut down and, suddenly, everything is impossible to do because she has no money. She overspends on health; she cuts community services;

she bleats that she cannot afford a pay rise for her employees; and her only explanation is that the money tree has been cut down. It is a shame that she did not realise before the election that the money tree was not really there. Perhaps she would have been a bit more sensible.

In conclusion, the "Governing Canberra" report provides a quite intelligent overview of the role of government in this Territory. Unfortunately, it does nothing to illuminate the rhetoric which Mrs Carnell used before the election, which was the stimulus to this report, about council-style government and how the world would be a much better place when we moved to council-style government. Mrs Carnell talks about not being interested in an adversarial style of government; but she has a secretive approach, an approach that is based on open hostility to those people who disagree with her. We can only marvel at the wide gap between her rhetoric and the reality of this Liberal Government.

I do not think this reform advisory group has taken the debate very far. Perhaps that is because it did not have very far to go. The real solution to this problem is not about changing all the structures of government. The real issue is the business of how you go about, on a day-to-day basis, the business of governing. It is the attitude which you adopt in government that makes the difference - not tinkering with structures, not hiding behind the rhetoric of council-style government and criticising adversarial-style government and talking blithely about community consultation. It is about how you act in practice.

We have had one year of this Carnell Government, and it has not been a year that has covered Mrs Carnell in glory when it comes to openness, consultation, listening to the community, or any of the other things that the Canberra community expect of her. We can only hope that, over the next two years, for the sake of Canberra, she does better than she has done so far.

MR KAINÉ (11.17): I must say that I was interested to note how the new Leader of the Opposition would perform on his first day, and he has demonstrated quite clearly how he is going to perform: In a word, ineffectively. Here is a document that talks about the whole structure by which the ACT will be governed, legitimately initiated by the Chief Minister to bring forward some ideas as to how governing this community might be better; and what do we get? The Leader of the Opposition had 20 minutes to respond to this. The subject was worth every minute of that 20 minutes. He used only about 10 minutes of his time, and he added not one jot of a new thought to the subject. I think that says something about the quality of the person the Labor Party just put in to be the alternative Chief Minister of this Territory. The thought terrifies me. This is a subject that requires a great deal of debate, and to shrug it off as some sort of mickey mouse exercise, as the Leader of the Opposition has done, I think is appalling.

I must say, though, that I believe that the Opposition and I are probably in agreement on one point. I think the Chief Minister must be terribly disappointed with the high-priced group that she put together to discuss this subject and come back with a report that would be of value to her. She must have been greatly disappointed when she got it, because there are no proposals in here. It is a very lightweight, academic, once-over-lightly of some of the issues - - -

Mr Whitecross: That is what I said. Ha, ha!

MR KAINE: Mr Whitecross, you had your 20 minutes and you did not even use it. As I said, you made not one single contribution to the debate, so do not laugh and titter over there. I can see that your standard of performance has already been signalled to us. I use the word again: Ineffective. I would have thought a group such as this would have come back with some very positive proposals in accordance with the terms of reference. They were to investigate and recommend improvements. They have made no recommendations whatsoever. They have certainly traversed most of the issues that have come up for debate on the question of government since 1988-89 - not all of them, but most of them. But, having raised them and referred to them briefly, they then walked away. Their chapter 6, "How to go about a Change for the Better", merely again traverses the issues. There is not a single recommendation in here.

I do not know what they thought the Chief Minister was going to do with this report when she got it, except maybe jam the door open so that people could come and talk to her about these issues without having to open the door. I was disturbed that even this high-powered group seem to have confused the legislature and the Executive. I quote from page 14, chapter 5, "How would the Elected Representatives Govern?". Under the heading "Involving Assembly Members in a Committee system", it says that there would be a bunch of committees, and then:

These Assembly Committees would consider new policy proposals, business and strategic plans, performance reports (including budgets) and legislative proposals from the agencies within the Minister's portfolio.

In other words, it seems to be envisaged that these committees are not Assembly committees but are subservient to the Ministers. The next statement, I think, shows their real confusion, because they say:

Their function would be advisory, and their role to inform the Executive's decision-making.

Surely these people understand that our committees are creatures of the Assembly, not creatures of the Government, and there is no way that this place, in my view, is going to allow that to change. To assert that these committees ought to be somehow appointed by Ministers and responsible to Ministers and advisory to the Executive is a sheer nonsense. I am not certain that these high-priced people who put this report together even begin to understand the difference between the legislature and the Executive. Have they not read Basic Public Administration and Politics 1? There is no indication in here that they have.

Mr Wood: But some of your people support that council-style approach, which is what that is.

MR KAINE: Mr Wood, there is nothing wrong with a debate about a council-style government. I am not too sure that that has yet been defined, but there is nothing wrong with having a debate about it. However, if you had commissioned a high-priced group of very prominent and eminent people and asked them to examine that subject, and they

came back and said nothing but “a consideration of a council-style of government is a good thing” - and that is what they would have done if they had been given those terms of reference, in view of the way that they have dealt with this subject - it would have added nothing to the debate.

A lot of these issues, as I have said, have been on the agenda since 1988-89 - for example, the role of this Government in the region. That got a bit of a head start when I was Chief Minister because I thought it was very important. I believed then, and I believe now, that you do not have to change the boundaries of the ACT for the ACT Government to be influential and to be involved in what goes on in a much wider piece of territory than that. There has been some debate recently about extending the borders. You do not have to do that. You do not have to get into a fight with New South Wales about annexing territory from New South Wales to influence and be involved in the decisions affecting the lives of people out there. They are already strongly influenced because they use the ACT for education, for health, as their financial centre - in many ways. So we do not need to extend our political hegemony out into that region in order to influence it and determine the course. Having said that, one of their terms of reference was to examine the ACT's role as a regional government. I would have liked to read in here somewhere where they in fact did anything with that term of reference. Where did they come back to the Chief Minister with any recommendation about what she should now do, as opposed to what we have been doing for the last seven years, virtually, in this matter?

There is room for ongoing debate on many aspects of government. What should the Government be doing? What sort of Public Service does it need to implement its policies and deliver the services? How should they be organised? What should be the relationship between that organisation and this Assembly? What is the role of committees of the Assembly? There are dozens and dozens of topics, all of which could benefit from some legitimate and informed debate. The Chief Minister, I believe, had good intentions when she commissioned this report. I think she must have been extremely disappointed when she got such a slender document, the centrepiece of which seems to be an organisation chart on page 13 that, apart from the juxtaposition of committees to agencies, does not change anything that exists now. It makes no contribution to the debate as to how the system would work, other than this seemingly erroneous impression that the committees ought to be subservient to the Cabinet in some fashion. Not while I have anything to do with the way in which government does its business, I have to say quite strongly.

Mr Speaker, if the Opposition really wished to make an input to the debate of a rational kind and of a productive kind, I would like to hear them do it; but more of the 10 minutes that we had from the new Leader of the Opposition, with no input of any constructive worth at all, will not do it. If they do not take the opportunity to add something productive to this debate, they are forever condemned as a bunch of whingers who only want to sit there and complain. They do not want to make any useful contribution.

MS TUCKER (11.26): Mr Speaker, this is an important debate, as these issues about how a government functions are central to the functioning of democracy. Parliaments are the central authority of representative government; but how to make them more representative, responsive and inclusive is indeed a challenge. As others have mentioned, over the past 12 months we have heard a lot about Mrs Carnell's promise of open and consultative government, open budget processes and council-style government,

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and now we have this document "Governing Canberra". Although I am also disappointed with the contents of the report, I am pleased that it has set up some forum for debate, and it would be remiss of me to point out all the things that this report does not do without acknowledging this fact.

The ACT is in a quite unique position to develop some innovative systems for government, and we have seen some good models such as the Community Law Reform Committee. As far as government goes, this means not only more transparent and consultative government but also government that takes environmental and social responsibility seriously. The ACT already has a number of consultative mechanisms, which may not be perfect but they are there. The Social Policy Committee's report on community consultation discusses some of these forums. I hope that, for the sake of efficiency if nothing else, this task force looks at the work that has been done in the Social Policy Committee in this area and other reports on the issue. We could have a less formal process, more accessibility to Ministers and less Executive power. Maybe we do need a fundamental overhaul of the whole system of government, but I would suggest that the budget process should be part of this. "Governing Canberra" makes no mention at all of the existing advisory councils or, quite surprisingly, of community councils.

Talking about community consultation and this Government's initiatives in the area, I will make comment now on their consultation process for the budget. If "Governing Canberra" has been seen to be a superficial and disappointing response, then the outcomes statement, which has been presented as "the focus of the consultation process" for the budget which will "set policy for the budget", is also unbelievable. For example, if we take the environment outcome, it says that "the ACT environment is clean, safe and managed efficiently and sustainable". What possible use is that statement to anyone in the community who wishes to have meaningful input into the budget? What is the timeframe? Where are the strategies? How much will they cost? What are the priorities in this strategy? It is a very basic part of community consultation - any kind of consultation - that information is provided to then discuss. As I have said before, if we are evaluating performance rather than focusing on inputs, a lot more work needs to be done on working out in much more detail the outcomes that we want and making sure that our performance measures are up to scratch.

This report seems to be as much about the Government's reform agenda for the public sector as it is about genuine changes to the way that government works in the ACT. Once again we are told of the benefits of introducing market mechanisms into service delivery; for example, separating funder from provider functions. We are told that there should not be a confusion over funder and provider roles; in fact, they should be so separated that one Minister should not even be responsible for the funder and provider mechanisms within one portfolio. This sounds like a recipe for chaos. In question time, I would address my question without notice to the funder Minister for Health, and the supplementary question may be to the provider. Who is accountable anyway? Is this not getting a little absurd?

Considering that there are already quite a lot of difficulties in communication between government agencies, and on-the-ground workers claim that their administrators are out of touch, this can only worsen the problem. How can further fragmentation benefit anyone? The administrative costs of ensuring that the policy-making provision and the funding mechanisms are integrated have also not been factored in in any of this work, especially in a small jurisdiction like Canberra.

There are a few other points that I would like to make. Firstly, the term "customer orientation" is being used more and more by governments. That is all very well, but the Government should recognise that the people of Canberra are not just customers or consumers; they are citizens as well. This reductionist approach is lacking, as the role of government extends beyond the provision of resources and programs. It must provide leadership as well. There is also a whole range of concerns about adopting market mechanisms for service delivery, particularly the human services. For a start, there are real difficulties with financial quantification of some services. We have been hearing this over and over again in submissions to the competition policy inquiry. There is also a danger that responsiveness to community needs will be lost through tendering completely replacing grant systems. I have not heard anyone talk about the need for a full and open needs analysis in the ACT before we start reconstructing agencies and the community sector along commercial lines.

Mr Moore raised his concerns about where the committees and the Assembly fit into this reform agenda, and I add my concerns. The question of Executive power is not tackled at all; nor is the stranglehold that the two major parties have on the systems of government - for example, last year's budget process. Without any fundamental change to the existing imbalance between Executive and non-Executive power, the use of the word "advisory" for describing the role of committees is somewhat alarming. What makes committees work well now is the independent accountability. We also would have to comment on the fact that there have been budgetary cuts to the Secretariat in this place, which has serious implications for the ability of committee work to be continued in the way it should and probably increase, which one would think is in the interests of everyone here. It is certainly in the interests of consultative government.

The lack of a holistic strategy and forward planning that link social, environmental and economic issues is something else raised in this report. This is something that the Greens have been saying for some time. We entirely agree that it is necessary, and we welcome the work that is under way to develop a strategic plan for the ACT. We hope that this document will inspire more discussion and constructive debate about how we are working here and that it will have a good end, with everyone's cooperation.

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MRS CARNELL (Chief Minister) (11.32), in reply: Mr Speaker, the report was designed to raise questions and to stimulate debate. To some extent it has achieved that. It certainly has out there in the community, and we are getting some extremely interesting - - -

Mr Berry: I have never heard anybody talking about it.

MRS CARNELL: That is fascinating, Mr Berry. There are some very interesting responses from community councils and others. I am fascinated that, in an Assembly that talks an awful lot about community consultation, all of a sudden - - -

Ms McRae: No; you do.

MRS CARNELL: No; everybody here does. Everybody here is renowned for doing that. A document has been put together, certainly not by the Government but by a group at arm's length from the Government, to stimulate debate and to achieve some sort of broad community consultation on this issue. If community consultation is about coming back to the Assembly first off, up front, with a series of recommendations on how we believe it should happen, when we have done that in the past it has been regarded by those opposite as circumventing the capacity of the community to determine what the outcome is.

It strikes me that in issues like this, where we desperately need to get community involvement, community consensus and Assembly consensus, the appropriate way to go is to come forward with a report that does not make any absolute recommendations but says, "Here are some of the issues that the advisory group believes should be addressed - not all of the issues, no actual recommendations. Now let us see whether there is a better way to do this". I believe that there is. I believe that there has to be a better way to run government in the ACT than simply to lift an approach to government that exists in much bigger parliaments around Australia and overseas. I do not necessarily expect those opposite to agree with me, but I am interested that in the last sitting, when this report was tabled, Mr Berry and Mr Moore made some very definite criticisms of the report. So be it; that is fine. But neither of them has bothered putting forward a submission or any recommendations or any approach.

Mr Moore: It is pathetic, Kate. They got even the fundamentals wrong.

MRS CARNELL: Mr Moore makes the comment that it is fundamentally wrong. He should tell us what he believes is the way forward for improving the way that we govern the ACT - to become more consultative, to become less adversarial, to become more holistic in our approach? One of the basic issues that they looked at was how you could make sure that 17 people had input into the direction of government in the ACT, not just the Executive, which inevitably happens in an executive form of government. Whether they got it right or wrong is not the issue here. The issue is that we as an Assembly should and must be looking at this issue. It is something that, certainly from our perspective, needs to happen.

The report is available for public comment until 10 May 1996. The Chief Minister's Department is bringing together all of those comments. I will be very pleased to bring forward those comments to this Assembly. Public notices have been placed in the *Canberra Times* and in the *Chronicle*. Copies of the report have been made available at all Canberra libraries and ACT shopfronts. The report has been mailed out to various community, business and other interest groups. Those opposite say that it is a waste of time. Mr Moore says that it is wrong. Let us make sure that the views of all of us here and all of those community groups are brought forward.

All those opposite whinge about it. The Greens whinge about it. Mr Moore has been known to whinge about the Assembly not working as well as it could. Here is an opportunity to make it work better, to open the processes of this Assembly in a transparent way to the community and to non-Executive members. I believe that that is worth looking at. I do not believe that this report even attempts to bring forward the answers; nor should a community consultation approach. If community consultation was about the Government coming up with a fait accompli and then putting the fait accompli out to the community for comment, that does not give the community any capacity for input into the final product.

We have been criticised in the past for taking that sort of approach. Here we have taken the exact opposite approach and come up with a set of things that we could potentially talk about in this area - some of the ideas are very good; some of them are not so good - to talk about to the community. The Assembly can be part of that approach, building up an approach where we can be unique in Australia and have a style of government that is what the community is after. If those opposite believe that the community is after adversarial government that is based upon an Executive totally, then they are wrong. I think the election over 12 months ago showed categorically that the community does believe that that approach for the ACT is wrong.

What we are attempting to do here is to overcome those problems in a consultative manner. It will be interesting to see what comes forward from community councils and from others, to see what people really think. Maybe what they think is that it is just too hard. But already, according to the people who have spoken to me about this report and about the issues generally, there are some very smart ideas out in the community about how we could do our job better.

Mr Moore: Everybody always knows how politicians can do their job better.

MRS CARNELL: It appears that those opposite, and Mr Moore as well, do not believe that they could possibly do their job better. I believe that we could all do our job better, and I think that is our role and our responsibility to the Canberra community.

Question resolved in the affirmative.

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STANDING COMMITTEES - MEMBERSHIP

MR BERRY (11.40): I seek leave to move a motion concerning the membership of standing committees.

Leave granted.

MR BERRY: I move:

That:

- (1) Mr Berry be discharged from attending the Standing Committee on Planning and Environment and, in his place, Ms McRae be appointed a member of the Committee;
- (2) Ms Follett be discharged from attending the Standing Committee on Public Accounts and, in her place, Mr Wood be appointed a member of the Committee;
- (3) Mr Whitecross be discharged from attending the Standing Committee on Scrutiny of Bills and Subordinate Legislation and, in his place, Ms Follett be appointed a member of the Committee; and
- (4) Ms McRae be discharged from attending the Standing Committee on Social Policy and, in her place, Ms Reilly be appointed a member of the Committee.

The motion sets out some changed membership of committees as a result of the Labor Party decision to rearrange some of the shadow responsibilities and responsibilities for some of its members in relation to those committees. I think it is self-explanatory.

Question resolved in the affirmative.

SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE Report and Statement

MR OSBORNE: I present Report No. 2 of the Standing Committee on Scrutiny of Bills and Subordinate Legislation. I seek leave to make a brief statement on the report.

Leave granted.

MR OSBORNE: Report No. 2 of 1996, which I have just presented, was circulated when the Assembly was not sitting, on 20 March 1996, pursuant to the resolution of appointment of 9 March 1995. I commend the report to the Assembly.

Mr Speaker, I think it would be appropriate for me to mention that this is my last report as chairman of the Scrutiny of Bills Committee. I would like to thank Professor Whalan for his assistance and help. He is certainly in a league of his own in this area. I also have on top of the file a note which says that I should also thank the hardworking, all-knowing secretary of the committee. That is in that person's handwriting. I would like to say that the assistance of Mr Duncan was greatly appreciated.

PLANNING AND ENVIRONMENT - STANDING COMMITTEE
Report on Graffiti

MR MOORE (11.42): I present Report No. 9 of the Standing Committee on Planning and Environment entitled "The Environmental, Social and Financial Impact of Graffiti in Canberra and the Appropriate Means of Preventing Graffiti Damage", together with the extracts from the minutes of proceedings. I move:

That the report be noted.

Pursuant to resolution of the Assembly of 24 August 1995, the report was circulated when the Assembly was not sitting, on 5 March 1996.

First of all, I would like to thank my Assembly colleagues who are members of this committee, particularly Mr Berry who, as a result of the motion he has just put, will now be discharged from this committee. As deputy chair of the committee while I was away at a conference in Hobart, Mr Berry was responsible for the release of this report. I appreciate the effort he put in as deputy chair of the committee for both this report and Report No. 10, which we will come to in a short while.

This is yet another unanimous report of the Planning and Environment Committee, a committee of four people with very disparate views on a range of things, and I think it reflects very well on the committee that we were able to come to a unanimous view on it. The first recommendation of the committee states:

the Government identify appropriate areas for the practice and display of street art ...

We distinguish between graffiti and street art, and I think it is an important distinction. I think many of us recognise street art as being not destructive but, rather, an important and productive part of what goes on in the way young people grow. There is, however, a concern. We have only to look at a number of road safety signs to understand the community concern about the growing amount of graffiti that is put inappropriately through a wide range of areas. I was driving out towards Tuggeranong in the last couple of days - I did not quite make it there, I must tell you, but I was heading out that way. I should correct that, Mr Speaker. I have been out to Tuggeranong, even last night, just checking to see how that electorate goes and whether it needs to be taken over by somebody who can do the job.

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I did notice that there is still a significant graffiti problem, a problem in particular of tagging. Having been in the car with one of my sons, it was very interesting to hear him talk about the notion of tagging and how endemic that notion is in primary school. The kids can create their own tag and then put that mark somewhere and nobody will know except them and their mates, so the authorities will not find out unless the mates do. It is that kind of culture that is built into the graffiti we see around us now, so it is going to be quite a challenge for us to try to change that culture.

This report seeks ways to do that, and it also asks government in particular to look at how we can go about it. We certainly want to have the ACT Government report to the Legislative Assembly on the operation of its graffiti clean-up squad. We are very conscious that this report comes down at a time when the Minister, Mr De Domenico, has introduced a system of trying to clean up our graffiti problem. We also recognise the importance of an educative response to the notion of tagging, irresponsible colouring or defacing of road signs and other areas, which I think most of us recognise is pure vandalism. I think that is an important part of the surface response. At the same time, we need to recognise the different levels of concern in the community about what is going on with graffiti. We also need to recognise the levels of dissatisfaction among some members of the community that leads to problems of graffiti.

There are a couple of simple issues that need to be dealt with. For example, our penultimate recommendation states:

the Administration raise directional signs that have been defaced by graffiti ...

There are some very simple solutions that need to be adopted fairly quickly. Signs that are basically out of reach are rarely defaced. I am conscious that often these are set at a national standard, so there may well be a requirement to go back to the national body that sets standards for signs and so on.

Mrs Carnell: And raise all our street lights.

MR MOORE: And street lights. They need to be put out of reach. We have a problem with this because there is a very big difference between out of reach for me and out of reach for the Chief Minister or the Deputy Chief Minister. We have to take into account those sorts of issues. This is a very positive report that looks not only at the positive side of street art but also at the negative side of what we call graffiti and looks to find sensible solutions for removing graffiti, which most members of our community find unacceptable and consider to be vandalism.

MR BERRY (11.48): This report is a step on the way to dealing with the issue of graffiti in the ACT. It is also a step on the way to delivering on a promise I made to the electorate before the last election that there would be an inquiry into this matter and that its aim would be to reduce the impact of graffiti on the Australian Capital Territory. Of course, that became an issue, amongst other issues, in the last election campaign. It remained an issue after the election and in the early stages of this Government.

I am pleased to see that the Minister, Mr De Domenico, and the Government recognised that it was a serious problem and responded to the campaign that was being run out in the community. I think that is a good thing. The proof of the pudding will be in the eating - the sorts of results we will get from the approaches that have been taken by the Government.

One of the recommendations in the report calls on the Government to report to the Legislative Assembly on the operation of its graffiti clean-up squad. A short while ago, the issue of turnover amongst those squad members became a problem because it was reported to me that there was a problem with the training of people using the chemicals that were required to clean graffiti off signs. The paint and products used are designed to stay where they are sprayed on; therefore, they need fairly savage chemicals to remove them, with proper training for people who are using them, and proper protection and so on. That issue is one for the Government to deal with, and in a response to this report I would like to see where the Government is coming from in terms of occupational health and safety for those workers who are involved in it.

During the debate on this issue there have been some suggestions that those who put the graffiti on should be forced to clean it off. For the people making the recommendation I think it was heartfelt; it is a clean-up-your-own-mess sort of approach. But it is not possible with these sorts of clean-up requirements because, principally, you want a professional job and you want people using chemicals that are possibly toxic to be properly trained in their use. So whilst that might be a noble suggestion from some quarters of the community - not one I agree with, I have to add - it is not possible.

The report places an emphasis on the display of street art and it draws a distinction between street art and vandalism. I do not think legitimate street art is a problem, providing that it is properly practised and properly led. Another important recommendation of the committee is that some funding be provided for at least one youth arts outreach officer, one of whose duties would be to facilitate the legal expression of street art.

Some might look at this report and say that because it makes these recommendations in relation to the art side of things it is soft on graffiti. For my part, it is not soft on graffiti. Graffiti needs to be dealt with quickly. I think we have all seen the evidence that if it is cleaned up quickly there is less incentive for people to put their tag on various public buildings and public signs and so on, and the job in front of the Government is to keep up with it. I know that the Government will complain that there are limits to what it can do in this regard, but if we are going to clean up the graffiti problem it is going to have to address the issue, and I can assure the people of the ACT that, where added focus is needed, I will raise it with the Government.

One other issue that was raised in the context of graffiti in the dying moments of the committee was the issue of billboards and posters. We have all seen the posters that are inappropriately fastened around the city and we have called on the Government to use its graffiti clean-up squad to remove those inappropriate billboards and posters. At any election they are likely to be more prominent.

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Mrs Carnell: Get rid of the Labor Party ones that are stuck on walls.

Mr De Domenico: And the ones that say, "Vote Green for the Environment".

MR BERRY: I think this time it would be fair to say that there are probably more around for the Greens Party than anybody else; they have been a bit more active. In any election campaign there are likely to be posters around, and we are just going to have to face the task of cleaning up. Inevitably, I think political parties who use that as a strategy pay a bit of a penalty in this city because it is seen to be defacing public property. It is not as bad as telling the electorate fibs, I have to say; but I think we have also addressed that issue.

I think there ought to be appropriate space for billboards in public places, around shopping centres and so on, where many people in the community travel and attend. There ought to be some appropriate places for these stickers and posters to be affixed. We all have our supporters, and various groups throughout the community have their supporters who want to put their stamp on the message and put it in the most appropriate place. What I think we have to do as a responsible Assembly is provide a place for people to affix these things where they will be seen. Then we might reduce the effect of vandalism on ACTEW power substations and so on. At the end of the day, somebody has to clean it up or it just looks messy.

We did talk about the issue of a voluntary code of conduct for spray-cans, and we would like to see where the Government is coming from in relation to that matter because I think it is important.

Mrs Carnell: It is done, launched.

MR BERRY: The recommendation is fairly clear:

the Government advise the Assembly of the results of its review of whether to change the legislation covering graffiti vandalism and whether to introduce a voluntary code of conduct ...

I know that you have done the voluntary code of conduct, but I suppose that what we will have to do is revisit that in the future and see how effective it has been.

The overwhelmingly powerful recommendation of this committee is on the issue of education. I think all members of the committee were a bit disappointed that the Department of Education did not really have an idea what it might do in this regard, particularly when the Government had taken the issue on and, I suspect, knew about the positive side of education. We have recommended:

the Department of Education and Training establish suitable procedures to enable it to estimate the cost of graffiti vandalism in schools ...

I know that it is a problem; I have seen it. But we also have to have some liaison between the department and school principals and school boards about their experience in order to sharpen up the appropriate educative response, because I think that is a most important issue in the education system. We have to talk to people early about the effects of graffiti vandalism on the community.

For all of those issues, placed against the background of providing identifiable places for the practice of street art, I think we can come up with a solution; but it is not going to go away. Every time somebody feels that they need to protest about an issue, we are likely to see forms of protest that will result in graffiti. What we have to do is work out a means by which casual vandalism, if I can call it that, is prevented and discouraged. It does affect our city, it does affect the people who live in it, and I think it affects the view of this place of people from outside our Territory. I commend the report and I am happy to have participated in the process.

MR KAINE (11.58): I found this one of the more interesting studies I have been involved in in my time in the Assembly. At first glance, it is just a matter of kids squirting spray paint everywhere and defacing things; but, when you get deeper into the subject and listen to people who are out there where the kids are, you discover that it is a different subject altogether. We had a number of witnesses put to us that the kids who engage in this mostly are people who feel excluded from the society they live in. The one way they can protest is by spray painting things. Some of them think that what they do is productive street art. Some of them do not necessarily think that way at all, but it is certainly a way of expressing their viewpoint. I am convinced that there is a great deal to that. If we merely set about producing a report that said, "Increase penalties, put them in gaol, put them away for the rest of their lives", you would have no impact on the problem at all.

As I drive down Tuggeranong Parkway going home at night, just opposite the Kambah Village shopping centre there is a small cricket ground and soccer ground, and there is a building there which a few weeks ago was covered from one end to the other. Obviously, some of the kids had used it as a blank wall on which they could practise their street art; others had just come along and sprayed over it. Just recently, that building was painted a lovely beige colour; it was very pretty. I drove past one day and there it was, pristine, and I thought, "That is lovely". The very next day there was an example of street art on it. In fact, it is quite well done. It is black and blue and white on this lovely beige background. But it is what it says that is significant. It says, "Nuts". I think a street artist is giving us his opinion of the fact that we painted over all the street art there, and he not only painted a new piece of artwork but also expressed his feelings quite forcefully. As you drive past now, that is all you see on the building, and I wonder how long it will be there unaccompanied by other street art.

That, to me, was the strong point that came out during this hearing and that is why, if you read our recommendations carefully, almost without exception they are aimed at dealing with the subject in a productive way - not penalising, not making examples of the kids, but treating them as though they do belong to this community, as though they are valued members of it, saying that there are ways of directing their creativity, and perhaps we can help them in that. Out of all the recommendations, there is only one where we suggest that the penalties for defacing directional signs, traffic signs, be reviewed in order

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to stress the danger to the public of this sort of behaviour. Strangers to this town need to be able to read the traffic signs, first of all, to know what the speed limits are and, secondly, to know where they are and where they are going. Some of those signs have been so badly overpainted that they are indecipherable. There is one in Wanniasa that I saw the other night. It is a caution sign when you come to a T-junction, and somebody has painted over it "Speedway". The original intent of the sign is completely hidden because you cannot see it.

The committee took this matter seriously. I believe that the committee did accept that there are underlying reasons why people spray things. Some of them, there is no doubt, are just plain vandals, but most of them probably are not. For a case of vandalism, if you drive up Yamba Drive from the big roundabout towards the Woden Valley Hospital, you will see that every street lamp standard on the left-hand side has been sprayed all over. There is nothing decipherable, just spray paint. Somebody obviously went along there with a couple of spray-cans and sprayed all over it. I do not regard that as street art; I do not accept it even as tagging, which I think you could argue there is some legitimacy about if people want to make known the fact that they are there: "This is me; here is my tag". This was neither of those things; it was just outright vandalism, and there is a certain amount of that. That, I think, the community is entitled to deal with harshly. In the main, I believe that we should be making provision for those people who genuinely regard themselves as street artists. We should try to provide some space where they can practise their art. The rest we should discourage.

Generally speaking, these are productive, positive recommendations, and I would urge the Government to act upon them fairly quickly. One of those recommendations is that the Government report to us on the operation of its graffiti clean-up squad, which has been in place now for some time. There are some places around the city where you can see the results of their work. There are others where there appears not to have been anything done yet, and some of them are in quite prominent places. I recognise that their resources are probably fairly slim and that they are dealing with things in some order of priority that they have determined; but I think it would be useful to have the Government give us a report on what that squad has been doing and where they have concentrated their efforts so far, and some estimate, in the judgment of the squad itself, as to how far they think they have gone in getting rid of some of the less desirable vandal-type graffiti that is so obvious around the place. Mr Speaker, along with other members of the committee, I commend this report to the Assembly and to the Government and look forward to some prompt action.

MS HORODNY (12.05): I was particularly pleased with certain of the recommendations in this report, and I will focus on three or four of those. Whilst I do not take away from the personal responsibility of people who are committing the offence of spraying and vandalising certain areas, I recognise that, as we all heard in the committee, there are wider social considerations in this issue. They have to do with youths and other members of the community feeling disempowered and disenfranchised and not having an avenue to express what they feel.

I was particularly pleased with the more positive aspects of this report, for instance, the recommendations to provide appropriate areas for the practice and display of street art and also to provide funding for the youth arts outreach officer. There are great opportunities in Canberra to enhance the look of this city, particularly in shopping centres in certain areas. I think of Kippax, in my electorate, where in various workshops that have been conducted to look at ways of improving the shopping centre the overwhelming view of people attending has been that that shopping centre - and I think others would fit this category as well - is very grey and drab and could use a facelift. That is where the youth arts outreach officer comes into play. I do not know whether people here are familiar with the town of Sheffield in Tasmania. Sheffield is in the north of Tasmania. It is right near Cradle Mountain, and the artwork in that little town is absolutely wonderful.

Mr Stefaniak: Is it a very old little town - from about the 1830s?

MS HORODNY: It is an old town. There are huge artworks that tend to be on the walls around the centre of the town, and each of the artworks describes a piece of history that is important in that town. For instance, there is one that shows a rescue operation to Cradle Mountain 20 or 30 years ago, when locals were involved in rescuing a group of schoolchildren, one of whom perished. The point is that the locals are very proud of the artwork. It is a great tourist attraction; people come from far and wide to look at the artwork in Sheffield. I think it is a very good example of what could be done in the ACT, where we have problems with grey walls, which attract the sort of graffiti that people have been discussing in this committee. We have an opportunity to harness the energy and talent and enthusiasm in our community for this type of activity, and I think it is important that we look very positively at ways to reduce graffiti, rather than the punitive measures.

I believe that it is quite pointless to ban spray-cans and increase fines and put all these sorts of punitive measures in place, because I do not believe that they work very well. I do not believe that they are directed at the problem. We can do good things to ensure that the energy of the graffiti artists is directed elsewhere and at the same time enhance the look and the feel of this city. I think the most important recommendation in this report is the second one, which calls for funding for the youth arts outreach officer. I have seen where an arts officer has been employed on an IMPACT grant to coordinate some artwork, for instance, the Wilderness Society one and the Amnesty International ones on the Supabarn wall. They are wonderful works of art and they are not defaced, and the main reason why they are not defaced is that they were produced over a long period and included a lot of the youth who live around where the artwork is displayed.

The lack of billboard space, certainly in areas such as Belconnen, is a real issue. That is something we have covered in this report, and it needs to be looked at seriously. If people are concerned about the posters going up willy-nilly, particularly around election time, we need to provide space around shopping centres for posters and other community service announcements to go up.

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Mr Hird: There are a couple of Greens posters still around.

Ms McRae: You should clean them up then.

MS HORODNY: It is interesting that it is Mr Hird and Ms McRae who talk about posters. Do you know your own electorate, Ms McRae and Mr Hird? Are you aware that billboard space is lacking in those centres? The issue that is important here is that we do not have billboard space. That is what is critical here, and, as members in that electorate, I think it is your responsibility to take this issue very seriously. There simply is not adequate billboard space for community groups to poster information about meetings, about gatherings and about things that are going on in their areas. It is a very important issue, and I think it is one this Assembly needs to take very seriously.

Question resolved in the affirmative.

Sitting suspended from 12.13 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Housing Trust - Privatisation

MR WHITECROSS: My question is directed to Mr Stefaniak as Minister for Housing and Family Services. What discussions have taken place between you or the Government and real estate agents or other organisations in the private sector regarding the privatisation of the Housing Trust? Have you or the Government held discussions with a real estate agent regarding the privatisation or the contracting out of the management of Housing Trust properties, including rent collection, debt management and drive-by snooping on tenants?

MR STEFANIAK: Mr Whitecross, the new Leader of the Opposition - - -

Mr De Domenico: This week.

MR STEFANIAK: This week. He has certainly come up with a doozey there - the contracting out of the Housing Trust. For Mr Whitecross's edification, the Housing Trust is, of course, the biggest owner of houses in the Australian Capital Territory. It has some 12,500 clients; it has about 12.8 per cent now, I think, of all properties in the Territory; and certainly it is dependent upon the Commonwealth-State Housing Agreement. There might be significant problems under the Commonwealth-State Housing Agreement in relation to contracting out the entire Housing Trust.

For Mr Whitecross's benefit, of course this Government is looking at efficiencies and the proper operation of services, just like they did. In fact, we have introduced quite a number of the more sensible measures proposed by the previous Government. We are looking at ways in which some operations of the Housing Trust can be contracted out. But to contract out the entire Housing Trust, I think, would be an absolute impossibility, Mr Whitecross.

MR WHITECROSS: I have a supplementary question, Mr Speaker. Will the Minister give an undertaking to this house that the management responsibilities of the Housing Trust will not be contracted out?

MR STEFANIAK: The management responsibilities of the Housing Trust? I said that there are a number of things which we are looking at in relation to the best possible terms for the ACT community. Some functions performed by the ACT Housing Trust are being reviewed to determine whether they can be best undertaken outside the organisation. For example, ACT Housing currently outsources its information technology needs. This was previously undertaken by the Department of Planning and Development in Victoria. It is now being undertaken by Andersen Consulting, as they have taken over from that Victorian department responsibility for providing services. It is envisaged that that function will continue to be outsourced.

We have also decided to call for expressions of interest from banks, building societies, credit unions and other bodies interested in providing the retail function of the Government's home loan service scheme. It is expected that advertisements will be placed shortly calling for a response from interested bodies. We will review those responses to ascertain whether or not this service could be provided more appropriately by an outside agent.

In line with the Hilmer reforms and the Commonwealth-State Housing Agreement, housing has been divided into two groups to provide separate areas to manage property ownership and tenancy support. As Mr Whitecross might know, a lot of the maintenance is actually contracted out to private maintenance agents. That is something that will continue. I think it is something like 90 per cent. I believe that that 90 per cent, Mr Whitecross, actually occurred under the previous Labor Government. The Government has made no decision on the tenancy management function.

Members interjected.

Mr Berry: On a point of order, Mr Speaker: I know that it is difficult to extract an answer out of this Minister, but what we do extract out of him we would like to be able to hear free from interjections by his Government colleagues.

MR SPEAKER: Order! I uphold the point of order. I would like to be able to hear the Minister's lucid response.

Mr Berry: Mr Speaker, I would like to rise on another point of order and challenge you on the question of lucidity.

MR STEFANIAK: If he shuts up he might find out something, Mr Speaker. Can I continue?

MR SPEAKER: Continue, Mr Stefaniak.

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MR STEFANIAK: Also, in line with the purchaser-provider model which the Government is pursuing as part of the Public Service reforms, an assessment needs to be made of whether tenancy management should be provided from an outsource provider or whether this function should be carried out entirely within government. If the decision is that the function should be carried out within government, then it is important that the costs of delivering the service are competitive with those which might be charged to the Government by an outside provider, which is something that this Government is all about. If we can do the service in government for the same price or cheaper, why bother, Mr Whitecross? But if we cannot, then maybe it is a good reason to look for somebody else to do it.

The Government has made no decision on the tenancy management function, but work is being undertaken to review the costings and identify any effects which might occur to service delivery should changes be made. Members should note that under the Commonwealth-State Housing Agreement State housing authorities are required to meet performance indicators in connection with the delivery of tenancy services. These indicators will be compared across Australia. Under the agreement, which it is hoped will be concluded before June this year, regular comparative reporting will flow from June 1997.

Mr Whitecross, I can assure you, the clients of ACT Housing and the community generally that under this Government ACT Housing will continue to provide an extremely high level of service and that many of the reforms that are continuing to take place within Housing - some of which, I must concede, did start with my predecessor, Mr Lamont - such as the very splendid Belconnen pilot project and the recent maintenance survey, are clear evidence of this Government's commitment to maintaining an effective, efficient and caring organisation.

When the current CPSU bans are lifted, that will also assist our housing clients and the Government generally, because they are having a severe effect on the workings of housing staff. I would like to commend those housing staff, who are working at present under considerable difficulty as a result of those bans, for keeping the system going.

Follett Government - Allowances Claimed by Staff

MR KAINE: Mr Speaker, through you, I have a question to the Chief Minister. Chief Minister, I am sure that you saw a recent article in the *Canberra Times* which was entitled "Overfed and Underpaid: Auditor Hits at Follett Staff". The article referred to a recent Auditor-General's report that three staff members employed by Ministers in the Follett Government had claimed more than \$6,500 in meal allowances between July 1994 and March 1995. Chief Minister, can you confirm to this Assembly that the staff of present members in your Government have not been so overfed out of taxpayers' money since you have been in government?

MRS CARNELL: Mr Kaine, I can certainly guarantee that nobody on this side or none of our staff has put on a lot of weight lately. The Auditor-General's report stated clearly that only a very small number of meal allowances had been claimed by Ministers' staff in the period from April to June 1995. In fact, for the period from February to June last year only 10 meal allowances were claimed, amounting to \$134. In the financial year to date, only six meal allowances have been claimed by Ministers' staff, totalling \$80.40. This means that in the term of this Government a grand total of \$214.40 - - -

Mr Berry: On a point of order, Mr Speaker - - -

Mr De Domenico: Under which standing order?

Mrs Carnell: Sit down, Wayne.

MR SPEAKER: Order! How can I hear the point of order if you people are shouting all the time?

Mr Berry: You might ask the Chief Minister whether she could tell us whether her staff are getting their award entitlements along the way.

MR SPEAKER: There is no point of order.

MRS CARNELL: That means that this Government has spent a total of - - -

Ms Follett: On a further point of order, Mr Speaker: When you say "you people are shouting", I would like it made quite clear just who is doing the shouting, because I feel that it casts a slur on all members of the Assembly who are not shouting. I think you should be more specific.

MR SPEAKER: I shall be only too pleased to do so.

MRS CARNELL: That means that in the term of this Government a grand total of \$214.40 has been spent on meal allowances claimed by Ministers staff. I am sure that about 11 members of this Assembly will agree that the figure compares very favourably with the \$6,929 quoted in the report as having been paid in meal allowances by the former Labor Government, just for the period July 1994 to March 1995. That is \$6,929 compared to \$214.40.

I am sure that, while the Assembly was being built, some people would have liked to build a trough - - -

Opposition members interjected.

MR SPEAKER: Order! The Opposition will stop interjecting at this point.

Mr Hird: I draw your attention to standing order 39, Mr Speaker. You pointed towards Mr Berry, who continuously interrupts. You have a duty under the standing orders.

MR SPEAKER: I uphold the point of order.

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MRS CARNELL: I am sure that, when the Assembly was being built, some people opposite and around the Assembly would have liked a bit of a trough to be built in the middle, but that is not something that this Government will be about. We do not believe that that sort of approach is appropriate. It is taxpayers' money, and we will do everything in our power to ensure that it is used appropriately.

MR KAINÉ: I have a supplementary question, Mr Speaker. Chief Minister, you have satisfied us about your own staff and those of your Ministers, but can you also satisfy the Assembly that the staff of members of the Opposition are no longer subsidising their living costs by eating so much at the expense of the taxpayer?

MRS CARNELL: Thank you very much, Mr Kaine. At this stage I do not have the information about what the staff of those opposite may or may not be doing, but I would be very happy for those opposite to make that information available. A situation where any staff member claims a meal allowance every single day would, I believe, raise a question in any member's mind.

Nurses - Registration Fees

MS TUCKER: My question is directed to Mrs Carnell in her capacity as Minister for Health and Community Care. I understand that the Australian Nursing Federation has written to you expressing concern about the \$48 increase in registration fees, while doctors' registration fees have gone up by only \$5. I understand that under the Nurses Act the Chief Minister has the power to determine registration fees. Can you explain what your Government's position is on the increased fee and whether you are prepared to renegotiate a more acceptable fee with the Australian Nursing Federation?

MRS CARNELL: Thank you very much for that question, because it raises a number of very interesting points. Unlike, I suppose, anybody else in this place, I served on one of our registration boards for a quite long period of time. During that time one issue that came up time and time again, and continues to come up, was the autonomy of the boards. As Ms Tucker may not know, the registration boards are autonomous from government; they do not take direction from the Minister of the day. The problem that has existed in the past is that, although they are autonomous and do not take direction, they have not had financial autonomy. It has been a bit of a bugbear for those boards for a very long time. Decisions have been taken by those boards, probably in the last 18 months, that they did want to become autonomous; that they wanted to be financially autonomous and able to make decisions for themselves.

To do that required quite substantial fee increases in a number of areas; in fact, for that matter, in just about all areas. For Ms Tucker's information, I would like to run through a few of those. In the area of pharmacy - an area that I know something about - the increase has been from \$54 to \$80, and now it has been increased to \$120; medical practitioners pay \$125; nurses' fees went up from \$32 to \$80; veterinary surgeons' fees went from \$77 to \$100; physios' fees went from \$56 to \$100;

dental technicians' fees went from \$79 - it is being negotiated, but I understand that they are talking about figures in the vicinity of \$100; dental prosthetists are paying \$113; dentists are paying \$80 now and are looking at something in the vicinity of \$100; podiatrists pay \$100; and psychologists pay \$100. The list goes on.

If you see that list you can see that nurses are actually paying the lowest registration fee. The reason for that is quite clear, though: We have more nurses registered in the ACT than we have registrations in any of the other professions. Therefore, the fee does not need to be as high to allow for autonomy. The board, I understand, has sent out to all nurses a newsletter explaining the increase and giving a table of the sorts of registration fees that are paid in other States. It is interesting to note that certainly in big States like New South Wales it is lower. Let us look at the position in the smaller States. In South Australia the fee is \$100; in Tasmania it is \$80; and so on. The fees are levied simply because it is important to have autonomy. The only area in which the ACT Government will now be covering extra costs for the registration boards is the area of legal fees that could not have been predicted by the boards themselves.

I would have thought, though, that nurses would have been quite pleased by the approach that the board has taken. The board has, as part of its approach to becoming autonomous, set revenue aside for grants to both registered and enrolled nurses who are interested in undertaking research for the benefit of their own professional growth and for the benefit of the ACT community. That is the basis of the increase. It is to allow the Nurses Board to better service the needs of the profession to ensure that they are doing their job without any direction, as I said, from the Minister - whoever that may be. It is not something that is unique to nursing. In fact, the nursing registration fees, as I read them out, are actually the lowest of all of the professions at this stage. I would assume that they would stay there, simply because there are more nurses and it is easier to become autonomous than if there were a substantially smaller group of people. Ms Tucker made the comment about the medical registration board. Medicos pay \$125 now, which is, of course, substantially more than \$80.

MS TUCKER: It is interesting to hear you admit that New South Wales nurses pay only \$35 a year, because you have claimed regularly that you would want to keep fees and taxes no greater than those in New South Wales. My supplementary question would be, though, because you did not answer the original question: Are you prepared to discuss this issue with the Australian Nursing Federation, because there appears to be severe hardship experienced by some nurses, particularly in the present situation?

MRS CARNELL: We have always made it clear that we are willing to discuss any issue whatsoever. But I think the issue here is that we have a situation where nurses are being asked to pay \$80 for registration; South Australian nurses are being asked to pay \$100; Tasmanian nurses, \$80; podiatrists, \$100; psychologists, \$100. All of those sorts of people are being asked to pay substantially more than they used to, but in return for substantially improved service and actual autonomy for their own board. Remember that registration boards are not arms of government; they are arms of the professions. It is peer group review. At least a percentage of the people on those boards are elected from within their own ranks. That is what registration boards are about. I think the nurses registration board is doing a very good job in ensuring that services do improve for nurses who are registered in the ACT.

Mental Health Services

MR BERRY: My question is directed to the Chief Minister in her capacity as Minister for Health and Community Care. Noting that the Minister for Health has revealed that she will be moving the provision of mental health services at Hennessy House and Watson Hostel to the private sector, will the Minister reveal who was consulted? Noting the Minister's commitment to consultation, who was consulted? All we want is a list of them.

MRS CARNELL: The only person who indicated that Hennessy House or Watson Hostel was going to be flogged to the private sector was Mr Berry.

Mr Berry: On a point of order, Mr Speaker - - -

Government members interjected.

MR SPEAKER: Order! Government members will come to order.

Mr Berry: The question was: Who was consulted?

MR SPEAKER: I think the Chief Minister has answered.

MRS CARNELL: Mr Speaker, I am very happy to answer the question again. The only person who indicated that either Hennessy House or Watson Hostel was going to be flogged to the private sector was Mr Berry, and he did it in a totally unacceptable way. He did it in an attempt to undermine people who are working there and the residents of those places. Absolutely no discussions have occurred with regard to selling either of those institutions, simply because we are not going to do it. It is that simple.

What has happened, though - and Mr Berry might like to get his facts straight for a change - - -

Mr Hird: Why spoil a good story?

MRS CARNELL: Well, yes, that would spoil a very good story. Very informal discussions have taken place with the staff and others at Hennessy House and Watson Hostel with regard to possibly contracting out maintenance and hotel functions of both of those entities. At the moment maintenance and hotel functions are being carried out by the clinical staff. I do not know what Mr Berry thinks - whether he thinks hotel and maintenance functions should be carried out by the clinical staff - but I can tell him that the clinical staff do not think they should. We are looking at alternative ways to address those issues. Certainly, it is very much in its infancy. We have had a discussion with some of the clinical staff and with some of the other staff along these lines. Again, the only person who has indicated flogging off either Hennessy House or Watson Hostel is Mr Berry, and he has done it for all the wrong reasons.

MR BERRY: I have a supplementary question, Mr Speaker. My question was clearly in relation to the provision of mental health services, of which hotel services, as described by Mrs Carnell, are part. Mrs Carnell has at her side the Mental Health Advisory Council. Knowing that changes to the management of Hennessy House and Watson Hostel would concern patients within those - - -

Mr Kaine: On a point of order, Mr Speaker: Reference to the standing orders will show that supplementary questions must be asked without a preamble. Would you direct the member to ask his supplementary question.

MR SPEAKER: I uphold the point of order, Mr Kaine. Would you mind asking your supplementary question, Mr Berry.

MR BERRY: I ask the Minister to reel off who was consulted. Why was not the Mental Health Advisory Council consulted before the decision to change the arrangements at Hennessy House and Watson Hostel was pursued?

MR SPEAKER: I think we have the supplementary question.

MRS CARNELL: You have to despair at times at Mr Berry's questions. I will state it again. We have made no decisions whatsoever. What we have done is had initial discussions with the people that this approach might affect - the staff. Nothing more has happened. No decisions have been taken. But would it not be sensible to have discussions with the staff about changes in the way their workplaces are organised first, before you make decisions, before you go to wider consultation? We have not decided, and the staff have not decided, whether this is the appropriate approach; but we are willing to look at these sorts of options.

Local Area Planning

MR HIRD: My question is directed to the Attorney-General, Mr Humphries. I find it interesting, now that Ms Follett has been put out to pasture - I thought her shadow portfolios were Police, Attorney-General and Emergency Services - that her first media release was about local area planning in North Canberra. In it she contradicted her colleague Mr Wood who, of course, got the sack from planning for speaking his own mind about the Whitecross coup d'etat or the Whitecross doublecross or whatever. Could the Minister give me some information as to the situation as it stands now?

MR HUMPHRIES: I thank Mr Whitecross for that question - I am sorry; I thank Mr Hird for that question. You are so alike, I am sorry; it is hard to tell you apart sometimes. I saw a very curious media release from the former Leader of the Opposition headed, "Problems with LAPACs are the Liberals' own creation - Follett". That was a fairly rare event - a press release from Ms Follett.

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Mr Berry: Mr Speaker, I raise a point of order. I am not sure that dealing with affairs of the Opposition falls within the boundaries of the Minister's portfolio responsibility.

MR SPEAKER: Order! I do not uphold the point of order. The Minister concerned is the Minister for the Environment, Land and Planning. We are talking about LAPACs, as I understand it.

MR HUMPHRIES: There is criticism here of our policy on local area planning. Of course I am the man to answer the question. I know that those opposite are confused about exactly who is spokesman. Mr Wood was spokesman the week before Ms Follett appeared to be; Ms Follett appeared to be the week before last, when this release came out; but I understand that Ms McRae is spokesman. I do not really know what is going on. Ms Reilly will probably get the job at the end of the day because, obviously, no-one else over there wants it. I commend it to you, Ms Reilly.

Let me say that this very confusing press release came out. The effect of it was to attack the Government for asking developers and residents to sit down together and talk to each other about proposed claims. I must say that I am absolutely enthralled by the logic behind that press release. The fact is that so much of the problem which beset the Follett Government in the area of planning occurred because there was not discussion between local people and people proposing changes in their areas. That lack of discussion, that lack of consultation, at the area where it mattered most, was the hallmark of problems in that former Government's life. What is more, that point is realised, I think, by Mr Wood - belatedly perhaps - in the comments that he made when the Government announced that the LAPACs were being introduced. He said, in great contrast to what Ms Follett has subsequently said:

The concept of LAPACs has been agreed by all groups, including the Labor Party, because it is seen as a proper measure to ensure that the community's voice is heard.

He went on to say that direct discussion between those two parties, between people proposing changes and the residents themselves, was appropriate. Mr Wood was right; but Ms Follett now comes along and says, "No, no, no; governments should stand in between those two groups and not allow residents and developers to talk to each other". That is a very strange philosophy indeed, and a great explanation, if we needed one, of why those opposite are opposite rather than over here.

Ms Follett also has the gall to criticise us in this release for the resourcing of LAPACs, saying that they need to be better resourced. Unfortunately, she did not bother to read her own local newspaper, which would have told her about a week before this release came out that local area planning advisory committees had welcomed a decision by the Government to increase resources to the LAPACs, including an additional full-time officer serving the committees and extra secretarial support. I think all three LAPACs have now welcomed that decision. Ms Follett should apologise to the Planning Authority for not doing her homework; she should apologise to Mr Wood for contradicting him; she should apologise to Ms McRae for benching her in the debate; and she should apologise to all the hardworking LAPAC members for her arrogant and patronising attitude to their work.

Office Development - Turner

MR MOORE: My question is directed to Mr Humphries as Minister for the Environment, Land and Planning. Did you approve the development of block 1, section 58, Turner for a 10-storey office building, either personally or by delegation of your power? It is opposite Macarthur House.

MR SPEAKER: Do you need clarification of where that is, Mr Humphries?

MR HUMPHRIES: Mr Speaker, I assume that he is talking about Northbourne House on the corner.

Mr Moore: Indeed.

MR HUMPHRIES: I have not personally approved that. I have seen criticism by Dr Mac Dickins of the Turner Residents Association about that decision. I must say that I had planned to contact Dr Dickins and talk to him about his criticism. I have had no contact at all with him on that issue. I had discussed it briefly with one of the LAPACs; I think it was LAPAC No. 2. I am certainly aware of the concerns that they have about it, but I am not aware of any applications being transmitted to me for me to make decisions on. I have indicated that we should certainly talk about that proposal. I think, with respect, the Turner residents and Dr Dickins have run for the pens before the matter has been decided and could not be reversed or reconsidered. I certainly am aware of their concerns and am quite prepared to consider the issues that they raise, although I have not, as best I can recall, received any formal communication from them on that subject, other than through the *Canberra Times*.

MR MOORE: I have a supplementary question, Mr Speaker. Mr Humphries, you would be aware that another 10-storey office building in Turner would undermine the decentralised town centre plan. If a building like that were to go ahead, what do you tell the people of Gungahlin to whom you promised a vital town centre, when such a building would clearly undermine that process?

MR HUMPHRIES: What the Government has promised the people of Gungahlin is the location of government offices in Gungahlin at the first available opportunity. The Government has no intention that I am aware of - my colleagues might have other ideas - of housing any government public servants in any buildings in Turner. There is a proposal to decamp some public servants from the John Overall Offices across the road from that site.

If there is a private sector proposal for development of that particular site, that is one we will have to consider. The LAPACs would have to be appropriately involved in that process and would have to give us some advice on that subject. But I think, with respect, you should go back to the people who have raised this concern with you and say that, before they rush off to the newspapers and decry what they think is a decision, they should get in touch with us and talk about it and see whether it is some problem that we can fix before it gets to that stage.

Charnwood High School Site

MS McRAE: My question is directed to Mr Stefaniak in his capacity as Minister for Education and Training. Since the Government's plan to close Charnwood High School has been around since September 1995, why is it that a discussion paper on the future of the building will not be available until May?

MR STEFANIAK: Thank you for that question. In relation to the use of the Charnwood site, a number of proposals have been suggested. I understand that there are a number of groups which are interested in use of the building; that has to be considered. I think Ms McRae might be confusing that with the Charnwood suburb redevelopment, which relates to a housing project affecting the 26 per cent of properties in Charnwood that are owned by the Government.

MS McRAE: No, I am not. Mr Speaker, by way of a supplementary question: I asked a very specific question. The Minister announced that there would be a discussion paper in May. I want to know why it is not being issued for public comment until May. Is it the fact that the Minister wants the building to be dilapidated and vandalised so that he can bulldoze it?

MR STEFANIAK: Hardly. What incredible hypocrisy!

Mrs Carnell: What about Holder High?

Mr Humphries: Take the foot out of the mouth!

MR SPEAKER: Order! Government members will contain themselves. I am sure that the Minister can deal with it.

MR STEFANIAK: This is from the former Government that let Holder High lie fallow for many, many years. Ms McRae, I think you are confusing that with the housing matter which will be out for consultation soon. I understand that May is certainly the date for that.

What is happening in relation to the building, Ms McRae, is that this Government is looking at a number of options. We are looking at a number of groups which are interested in using the building. We are well aware of the problems of Holder High and the concern that raises in the community. We are well aware of the problems of vandalism if the site is left for too long. There are several interesting proposals which are being put forward at present. There are, hopefully, some more. We want to be in a position to make a decision as quickly as possible. We also want to take into account community concerns. I think May is a lot sooner than the three years or more that it took for anything to happen with Holder High. Indeed, it was this Government that finally caused something to happen with the old Holder High School site. Ms McRae, we are well aware of the problems of leaving a building to lie fallow; so we are looking at ways in which that building can be used. There are several exciting proposals which are being put forward at present; hopefully, there will be some more. We want to be in a position to proceed with the use of that site at the earliest reasonable opportunity.

Public Library Services

MS HORODNY: My question is directed to the Minister for Urban Services, Mr De Domenico, and is in relation to the review of ACT public library services. Why did the Government choose an economic consultancy firm to conduct the review, rather than a group of individuals who are experienced in running libraries; or are we seeing another Booz Allen style of consultancy which is not really concerned with delivering quality library services but is rather another cost cutting exercise?

MR DE DOMENICO: I thank Ms Horodny for her question. The answer to the second part of the question is no. We did not choose an economic-type person in order to emulate Booz Allen and Hamilton. Why we did choose that specific type of consultant, Ms Horodny, was, if you had been aware, that over the past three years the ACT Library Service has been continuing to overspend its budget. Quite obviously, Ms Horodny, we had to bring somebody in to try to make sure that that does not happen in the future. That is why that decision was made.

MS HORODNY: I have a supplementary question, Mr Speaker. Are there community representatives on the review steering committee? Will there be any public consultation? If not, why not?

MR DE DOMENICO: I thank Ms Horodny for the supplementary question. Can I say that the public have been consulted and will continue to be consulted on all these issues. But the problem, Ms Horodny, once again, was that the ACT Library Service continued to overspend its budget year after year, with no extra or better services being provided to the community. The aim of this Government is to make sure that the services are improved, based on the needs of the community, in the most cost-efficient way possible for the taxpayer. We will continue to adopt that sort of policy.

Community Organisations

MS REILLY: My question is directed to the Chief Minister in her capacity as Minister for Health and Community Care. As you are aware, the introduction of the Sax award in the community sector is a complex issue for community organisations. What assistance does the Chief Minister intend to provide to community organisations to enable a smooth transition which will not affect the delivery of services to clients?

MRS CARNELL: Thank you very much, Ms Reilly, and congratulations on your first question. It is a very sensible question, too, because it is an issue that is of great concern to all community sector organisations. As those who know much about the area would be aware - and I know that Ms Reilly does - this award will quite dramatically increase the staffing costs of those organisations that are currently party to that award. At this stage, that is only a very few community service organisations.

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The approach that I have taken with them is this: Firstly, we are writing to the Commonwealth asking for a split between us and the Commonwealth, as you would expect, in this particular area. This is an increase that certainly was nothing to do with the ACT Government. In areas such as HACC funding and other areas of community services, the Federal Government is a fifty-fifty partner. Certainly, the ACT Government will have to pick up some of the tab; there is no doubt at all about that. But I think we should all be putting all the pressure that we can on the Federal Government to pick up their share as well. I have made it very clear to all the organisations that have written to me that, yes, we accept some of the liability; yes, we accept that community organisations simply are not in the position to pick up what could be 30 per cent increases in salaries. We know that. Equally, we believe that the Commonwealth has responsibilities too.

MS REILLY: The question I asked related to the assistance that the Chief Minister could provide. From her answer, is she providing full budget supplementation for the introduction of the award?

MRS CARNELL: No, we are not. I have made that clear in the letters that I have put forward. First of all, what we have to do is determine how much we are talking about. You would also be aware, I am sure, Ms Reilly, that most of the organisations involved - I think all of them - are still unable to tell us exactly what the dollar figure is. It is absolutely impossible to give budget supplementation when you do not know what the figure is. We have been providing assistance and certainly asking the organisations to identify what the actual quantum is. In the meantime, we have told them that we are approaching the Federal Government for a commitment from them to be part of a supplementation approach. I have given a commitment. The ACT Government certainly accepts that we have an obligation in this area. We do not know what that obligation is, because they do not at this stage.

Secondary College Teachers

MS FOLLETT: I have a question of the Minister for Education and Training, Mr Stefaniak. Will you inform the house exactly how many teachers have been taken out of secondary colleges - either by way of positions not being filled or by transfer?

MR STEFANIAK: I thank the member for the question. In terms of the exact numbers taken out of secondary colleges and moved elsewhere, I will have to take that on notice and get back to the member concerned.

MS FOLLETT: I have a supplementary question, Mr Speaker, which no doubt the Minister will also need to take on notice. Will the Minister inform the house, as a result of the removal of teachers and of his mismanagement of the education budget, how many courses or programs have had to be abandoned or amended or are no longer available to students in our secondary colleges?

MR STEFANIAK: The answer to that, firstly, in terms of any courses not being available, is that the number is very few. As Ms Follett probably should know from her time as Chief Minister, individual colleges on occasions each year will not offer certain courses, simply because there are not enough students wishing to take them. I will be happy to provide the former Leader of the Opposition with a list, on a college-by-college basis, of exactly what is not available this year. I would stress, though, that, on a college-by-college basis, in previous years there always has been a number of courses, for various reasons, that have not been available. In terms of the education budget, I do not think it has probably registered on members opposite that this Government has spent \$206.3m this year on public education. That is the greatest amount spent by any government since self-government.

Ministerial Advisory Council on Government Schooling

MR OSBORNE: My question, which is directed to the Minister for Education and Training, Mr Stefaniak, is in regard to the Ministerial Advisory Council on Government Schooling. In the make-up of this council, why have you given only one place out of 13 to the parents and citizens organisation - a reduction from two to one?

MR STEFANIAK: The simple answer to that is that it is a smaller council, to make it more efficient. There is a parent rep from the P and C council. There also happens to be a parent who represents the school boards. As I have indicated to the press on a number of occasions, I have every confidence in the member from the P and C council being well able to voice the concerns and points of view of that organisation.

MR OSBORNE: I have a supplementary question, Mr Speaker. Minister, given that the teachers have two representatives on this council, and in order to fully endorse the concept of parents being partners with teachers in schooling, is it not reasonable for parents to expect the same level of representation as the teachers?

MR STEFANIAK: As I indicated, there is a member from the P and C council and a representative from the school boards who is also a parent. I think, on a council of 13, that is a very good representation. It is the most impressive council. All individuals are very capable, and I am sure that they will represent the sector that has put them there to the very best of their ability and with great aplomb.

Industrial Action by Teachers - Student Activities

MR WOOD: My question is directed to the Minister for Education and Training. In your position as Minister, did you issue directives or instructions, through the Education Department, to students in regard to any stop-work or strike activity that they might have planned in support of teachers? If you did, what instructions were given?

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MR STEFANIAK: I do not quite follow the member's question. I was invited by the principal of a school to address a meeting. In terms of my issuing directives to students taking strike action, I am not quite sure what the member is really talking about there. What sort of directions would I give to students taking strike action? A number of actions were taken by students. I addressed one rally in Garema Place.

Mr Berry: On a point of order, Mr Speaker: Perhaps the Minister would like the member to read the question again so that he can better understand it.

MR SPEAKER: There is no point of order, although if the Minister is unsure of the direction of the question he can, of course, ask for clarification. Would you like to clarify it, Mr Wood?

Mr Wood: Well, I do not know; he has not finished his first part yet.

MR SPEAKER: He may have difficulty finishing any of it if he does not know what the question is about.

MR STEFANIAK: In terms of the action taken, both the Chief Minister and I spoke with students. I addressed one lot here. The Chief Minister saw another lot. I may have issued a suggestion - it was not a directive - that Deakin High School students might like to come to see me when I was at a "Meet the Minister" meeting, because they had a few interesting points of view. Some kids from Deakin High School did turn up. That was certainly a suggestion that I made, because they were concerned about the effects that the bans were having. Yes, I certainly suggested that that particular high school might come and see me. They did. I had a very good, detailed and frank talk with the very articulate representatives of Deakin High School.

MR WOOD: I have a supplementary question, Mr Speaker. I did not understand his answer.

MR SPEAKER: That is all right; most of us did not understand your question.

MR WOOD: The question was quite clear. I asked quite explicitly whether the Minister had sufficient interest in what was happening to have some discussion and input into the processes. Obviously he did not, so he demonstrates a complete lack of interest in what is happening at the student level in our schools.

MR SPEAKER: Is that a supplementary question?

MR WOOD: No. There is no supplementary question.

MR SPEAKER: It was a point of personal explanation.

MR STEFANIAK: Mr Wood, both the Chief Minister and I have seen a number of students. I think that shows a lot of interest. I am very concerned, Mr Wood, about the effects that the bans are having on students. I have received a number of representations from parents and students as to the effects that the bans have on eisteddfods, interschool sports, school camps and things like that. I have consistently asked, as have other

members of this Government, for the bans to be lifted so that the education of our children can continue properly, because these bans are having a very bad effect on essential parts of the education of our children. That is something that I would hope that you, as a former Minister for Education, would appreciate. Apparently you do not.

Mrs Carnell: I ask that further questions be placed on the notice paper.

AUDITOR-GENERAL - REPORT NO. 2 OF 1996 1995 Taxi Plates Auction

MR SPEAKER: I present, for the information of members, Auditor-General's Report No. 2 of 1996, "1995 Taxi Plates Auction".

Motion (by **Mr Humphries**), by leave, agreed to:

That the Assembly authorises the publication of the Auditor-General's Report No. 2 of 1996.

CANBERRA REGION CAMPAIGN

Ms McRae: Mr Speaker, on a point of order: On 22 February I asked for your clarification on whether there had been a contempt of the Assembly by the nature of the answer that was delivered by Mr De Domenico to a question that I had asked. Could you indicate whether you are ready to report on that?

MR SPEAKER: I shall shortly report on that.

INFORMATION TECHNOLOGY Papers

Motion (by **Mr Humphries**), by leave, agreed to:

That the Assembly authorises the publication of the Information Technology Review of the ACT Public Service, Stage One Report and Stage Two Report, which were presented on Thursday, 29 February 1996, pursuant to resolution of the Assembly of the same day.

SUBORDINATE LEGISLATION
Papers

MR HUMPHRIES (Attorney-General): Mr Speaker, pursuant to section 6 of the Subordinate Laws Act 1989, I present subordinate legislation in accordance with the schedule of gazettal notices for a declaration, determinations, regulations and a variation of forms.

The schedule read as follows:

Bookmakers Act - Determinations of -

Place to be a sports betting venue - No. 17 of 1996 (S43, dated 14 March 1996).

Directions for the operation of a sports betting venue - No. 18 of 1996 (S43, dated 14 March 1996)

Contingency to be a sports betting venue - No. 19 of 1996 (S43, dated 14 March 1996).

Rules for sports betting - No. 20 of 1996 (S43, dated 14 March 1996).

Credit Act - Declaration - Credit Hawking - No. 16 of 1996 (S39, dated 12 March 1996).

Health Act - Determination of fees and charges - No. 21 of 1996 (S44, dated 19 March 1996).

Liquor Act - Liquor Regulations (Amendment) - No. 1 of 1996 (S38, dated 11 March 1996).

Magistrates Court (Civil Jurisdiction) Act - Variation of Form 78 - Warrant of Apprehension - No. 23 of 1996 (S49, dated 22 March 1996).

Skin Penetration Procedures Act - Determination of fees - No. 22 of 1996 (S47, dated 22 March 1996).

CHILDREN'S SERVICES ACT - OFFICIAL VISITOR'S REPORT 1994-95
Paper

MR STEFANIAK (Minister for Education and Training and Minister for Children's and Youth Services) (3.17): Mr Speaker, for the information of members and pursuant to subsection 19B(6) of the Children's Services Act 1986, I present the Official Visitor's Report for 1994-95. I move:

That the Assembly takes note of the paper.

Debate (on motion by **Ms Reilly**) adjourned.

CYCLING INITIATIVES
Ministerial Statement

MR DE DOMENICO (Minister for Urban Services) (3.18): Mr Speaker, today I wish to speak about the initiatives the Government is developing in an effort to promote the safety and viability of cycling as a transport alternative for Canberrans.

Leave granted.

MR DE DOMENICO: The ACT Government is committed to promoting more efficient and affordable forms of transport such as cycling. In this context, as part of Bike Week 1995, the Traffic and Roads Section of the Department of Urban Services organised the "Share the Road" seminar. The purpose of the seminar was to give members of the community an opportunity to raise issues relating to the safety aspects of on-road cycling in the ACT. A workshop for transport practitioners was held the following day, looking more deeply at the technical aspects of on-road cycling in the ACT. A number of initiatives have been instigated in response to some of the issues raised at these two sessions.

Participants at both the "Share the Road" seminar and the workshop raised the need for improved awareness amongst ACT motorists as to why cyclists are using roads. The perception amongst motorists is that roads are for the use of motor vehicles only, when in fact they are for all vehicles, including bicycles. This problem is not peculiar to the ACT. However, the ACT has the additional problem that the off-road cycle system is of an extremely high standard. Unfortunately, the off-road system does not cater to commuter cyclists, as it tends not to be direct, rather taking the more recreational or scenic route around parks and the Canberra lake foreshores. Therefore, many commuter cyclists prefer to use the more direct routes along the major arterial road system. This can contribute to agitation amongst motorists, as they cannot understand why cyclists do not use the off-road system.

In an effort to address this problem, the Department of Urban Services and the NRMA have combined to jointly release "Share the Road - A Guide to Bicycle Friendly Motoring". This brochure, which was officially launched yesterday, jointly with the NRMA, illustrates how motorists can become more conscious of the needs of cyclists on the roads. Media coverage of the launch was widespread and very positive.

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Distribution of the brochure will be through ACT Government shopfronts, motor registry offices and NRMA offices. The "Share the Road" concept is not new. The brochure follows on from, and is complementary to, the "Share the Road" campaign undertaken by the NRMA-ACT Road Safety Trust, which will be finishing in late March 1996. This campaign featured advertising in local print media, bus sides and on local radio and promoted to both cyclists and motorists the benefits of acknowledging each other as legitimate road users.

In a further effort to encourage cycling as a realistic transport option for commuters, the Traffic and Roads Section of the Department of Urban Services has implemented a number of on-road cycling facilities throughout the ACT. In many cases these have been incorporated into the resealing program, with sealed shoulders and wide kerbside lanes being provided at the time that roads were being relinemarked.

The latest road to have on-road cycling facilities included as part of the resealing program is Dairy Flat Road leading from Fyshwick towards the city and the airport. Bicycle symbols have been included on the surface of the shoulder area and it is proposed to place on the roadside temporary yellow signs indicating that the wide shoulder has been provided for cycling. These signs could be moved on a bimonthly basis to various locations throughout the ACT where similar facilities are provided. This approach is taken in Western Australia and is successful in reinforcing to drivers that cyclists are encouraged to use the road. I am pleased to add that on-road cycling facilities on the Barton Highway also came on line during March 1996. On-road cycling links also exist on a number of other roads in the ACT, including between the major town centres of Belconnen and Woden and the city, and also along Athllon Drive in Tuggeranong.

I believe that liaison between groups with an interest in cycling issues in the ACT is very important. For this reason, I am pleased to announce that a formal liaison mechanism between ACT Government departments with an interest in cycling, the ACT bicycle lobby and the motorists lobby has been established to ensure that a balanced approach is adopted in the area of cycling. The group will work within the parameters set by the ACT transport strategy and the draft ACT bicycle strategy. The first meeting of the ACT cycling liaison group was held on 20 March 1996. In addition to the major projects I have just spoken about, the department has been involved in a number of other initiatives designed to encourage cycling. These include the production of a new and revised cycleways map, special events such as Bike Week, and the provision of cycle trip-end facilities, such as bicycle lockers which are provided at all town centres and bus interchanges.

Mr Speaker, cycling is a healthy and environmentally friendly means of transport. In the ACT we are fortunate to have in place well planned and managed cycle paths, and the Government is committed to implementing measures designed to encourage Canberrans to use these facilities whenever possible. From time to time there are members of this Assembly who tend to criticise this Government, and other governments before it, for not doing too much about cycling. I say this to those members:

Please compare what this Government and other governments have done in terms of providing for cycling as an alternative transport means in the ACT with what has been done or has not been done by other governments of all political persuasions elsewhere in this country and overseas. By any stretch of the imagination, the ACT has some of the best cycle paths and facilities for cyclists in the world. We can always improve, but those members who tend to criticise from time to time should look at what we have. Let us appreciate what we have and what has been done, and will continue to be done, by this Government, and what was done by the previous Government as well. I present the following paper:

Cycling initiatives - ministerial statement, 26 March 1996.

I move:

That the Assembly takes note of the paper.

MS TUCKER (3.24): I would like to congratulate Mr De Domenico on this initiative. I think it is very important. The Greens often speak about the importance of looking at alternative forms of transport in urban areas, and bike riding is a major part of that. It was featured in the working paper on transport and the ecologically sustainable development paper, the Federal paper. It is interesting to see how the community response to it is changing gradually. When we were first interviewed by the media prior to the election it was pulled out as a rather odd, quirky bit of our policies that we were interested in bike tracks. Now it is obviously becoming a subject for general discussion because it is a very important part of reducing motor car use in the urban environment. I am pleased to see that we are having this work acknowledged. Because Mr De Domenico has done this, we are happy to applaud this work. Do not say that we never say anything nice about you.

The other thing I have to comment on is an issue we have continually raised. We raised it when the random inspection of motor vehicles was introduced. There is a concern about the effect of fumes, particularly if tracks are on roads. We understand that some cyclists want to have on-road tracks. We asked to see a further response from you regarding how many of the registration checks are going to be on-road and not stationary in car parks, so that we know that dirty cars are picked up. I think this is an area that needs further work, and I hope that we can work with you on that.

There is also the issue of safe cycle routes and the marking of bike tracks which, as you said, raises the awareness of motor car drivers. We applaud that, too. We have to say, though, that we need to see adequate resourcing for improved facilities for bikes. We will be continuing to ask for that. We also encourage further investigation of the other facilities that you mentioned in your paper, such as secure places to leave bikes, and the use of buses and bikes, which is something that ACTION has talked to us about a little bit. There are some models in Europe. It is another really interesting thing to follow up. It can mean that people who live a long distance from the city can ride a certain distance and then bus, so they need to catch only one bus.

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MR MOORE (3.28): Mr Speaker, Ms Tucker began her speech by saying that the Greens are happy to talk about bicycles. In fact I rode mine today. It is in the area near my office on this floor. It was a beautiful day at lunchtime. While I was riding around at lunchtime I believe that Mr Berry was out enjoying his run. There would not have been a much more beautiful day to be riding than today, and not a more beautiful city, probably anywhere in the world, for that riding.

It is important, Mr Speaker, that we continue this work on cycling in the ACT, and I also would like to congratulate the Government for doing it. It is not something new. It is not something quirky, as Ms Tucker suggests. Nor is it an innovation that has arrived since the Greens. It has been going on for far longer than that. She may find that a little surprising. Even before the Greens were elected, some of us had some environmental issues that we thought were important.

Mr Berry: I do not believe that.

MR MOORE: Mr Speaker, I know that Mr Berry finds that very hard to believe, but it is true. We are sure that there will be an attempt to rewrite that part of history, too. Mr Speaker, in the report of the Standing Committee on Planning and Environment on the draft capital works program we drew attention, in paragraph 4.4, to advice that the committee had received. I quote:

The committee noted advice that 'provision for on-road cycles in Canberra is estimated to cost \$1.8m' ...

The Government had put about \$100,000 into that. If we are going to continue at that rate it is going to take us 18 years to catch up. The committee's comment was that we need to look at that allocation very carefully. The committee is suggesting that the Government consider increasing the funds allocated to the provision of on-road cycle facilities in order to encourage this form of transport in selected areas. We look forward to a positive response, particularly in light of the document you have tabled today. Taking 18 years to achieve the sorts of goals that you have been talking about and the sorts of goals that Ms Tucker has been talking about is not good enough.

The Minister talked about the production of a new and revised cycleways map. We also suggested that the Government consider incorporating the on-road cycling paths in all road maps of the ACT. Quite clearly, they are usually done on a commercial basis, but the Government has ways of reaching those people and encouraging them to include the cycling areas. Some of them do include them, but they have to be kept updated. I would also encourage you to do that. Mr Speaker, I think all members of the Assembly would agree that not only is this a great city for cycling for enjoyment, it is also a great city for cycling for commuting. To be fair, I know that Ms Tucker does cycle in to the Assembly quite regularly. Apart from the few jibes that we have enjoyed, I think that we have a very positive response to the Minister's comments on cycling.

MR SPEAKER: To the precincts of the Assembly, one would hope, Mr Moore, not into the Assembly itself.

MR MOORE: The precincts, Mr Speaker.

MR WHITECROSS (Leader of the Opposition) (3.30): Mr Speaker, we in the Labor Party also support an active role for the Government in the provision of facilities for cycling. We will not claim credit for inventing the bicycle, but we do believe that one of the pleasures of Canberra is that outdoor activities can be so readily enjoyed. You can cycle within the city of Canberra and enjoy the beautiful mixture of natural and urban environment that we have. The measures that the Minister has outlined will assist people in continuing to enjoy those facilities. I feel proud that in Canberra you can go to a bus interchange and find places to park your bike. You can park your bike at the Tuggeranong interchange and then get on a bus and commute the rest of your way to work. I think that these sorts of things mark Canberra as a city where people understand what makes up the quality of life of people who live in the city. We ought to be proud that we are a city that has those kinds of facilities.

We all know, Mr Speaker, that the debate goes on about facilities for cyclists, as it does about facilities for others and about the merits of cycleways by roads compared with cycleways off roads. It seems to me that that is a healthy debate. We can continue to work constructively to get the right balance of recreational and commuter cycling facilities. I think the NRMA is to be commended for its role in encouraging road safety in relation to cyclists. All cyclists feel vulnerable. All drivers also feel vulnerable and concerned because you have two vehicles with very unequal power sharing the road. Consciousness of each other's needs and existence is an important part of building a cooperative and considerate society. The NRMA is to be commended for its role in promoting that through the "Share the Road" initiative. I commend it for its involvement and I applaud the initiatives set out in the Minister's statement.

Question resolved in the affirmative.

INDUSTRIAL RELATIONS

Discussion of Matter of Public Importance

MR SPEAKER: I have received a letter from Mr Whitecross proposing that a matter of public importance be submitted to the Assembly for discussion, namely:

The cost to the ACT community of the Carnell Government's mismanagement of industrial relations.

MR WHITECROSS (Leader of the Opposition) (3.34): Mr Speaker, the subject of the matter of public importance this afternoon is, as you said, the Carnell Government's handling of industrial relations in the ACT, and, by any reckoning, it is a shameful record. The cost to the Territory, both in financial terms and in terms of social upheaval, of the Government's approach to industrial relations should be a matter of considerable concern to all in the community, and is certainly a matter of concern to us in the Labor Party.

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It is important to realise, Mr Speaker, that it is not only the 20,000 and more employees of the ACT Government and their families who are affected by Mrs Carnell's approach and who have very real reason to be concerned about their futures. There is also the effect on the community at large of Mrs Carnell's philosophies and her self-indulgent and irrationalist approach to this matter. Her approach strikes at the very core of everything that is important to our lives as a community. Her approach has created concern about the futures of people in this city - about their jobs, about their families, about their children, about the provision of health care, and about the final consequences to this community of a government motivated by the bottom line. These are not imaginary fears, Mr Speaker. These are daily realities for a lot of people.

The industrial relations dispute that we have just been through is a dispute which, by Mrs Carnell's last count, has cost this community over \$5m. It has left people unable to get to work. Facilities in this community have been degraded, with grass being uncut, teachers not engaging in out of hours activities, threats occurring to the delivery of health services, fees not being collected and bus fares not being collected. It is a serious record of distress and disheartenment for this community. The community has suffered greatly from this and will continue to pay for the costs of Mrs Carnell's dispute.

Mr Speaker, while the community has a right to be angry about the costs that we have incurred, the lost revenue and the inconvenience, it is also entitled to ask why this is happening. The answer lies in the character of Mrs Carnell, in the way that she goes about her business as a Minister and as Chief Minister. It is affecting the way government is being carried out in the ACT. Mrs Carnell's approach to this dispute has been characterised by ignorance of the basic tenets of the industrial relations environment that we are working in. It has been characterised by a complete lack of understanding of what enterprise bargaining is about and of how pay increases are negotiated in the current industrial relations environment. The fact is, Mr Speaker, that enterprise bargaining is about sharing the responsibility for changing organisations, and sharing the benefits of change - something that Mrs Carnell does not understand. Mrs Carnell wants to load onto her work force the responsibility of change, and to load onto them the displacement of jobs as a result of change, to load onto them the changes in work practices; but she does not want to share the benefits. She does not want to share the savings of those changes through higher pay. She fundamentally does not understand the cooperative nature of the employer-employee relationship. Mr Speaker, Mrs Carnell has portrayed in this dispute her stubbornness, her inability to compromise. She has a win-at-all-costs mentality. Mrs Carnell wants agency bargaining. She approached in August with a view that she wanted agency bargaining. The unions, for their part, identified a range of areas where there were opportunities for across-the-board efficiencies.

Mrs Carnell: That is not agency.

MR WHITECROSS: No, it is not agency, and this is my point, Mrs Carnell. You would not listen. You would not budge. You would not talk about the issues that they raised, because it was not your way of doing it. You had to do it your way. You had to do it your way even though there were cross-agency issues which the Government needed to address - issues like workers compensation, information technology and accommodation which go across agencies. Mrs Carnell would not talk about them in a cross-agency way. She insisted that she had to have it her way.

As a result, since August last year she has been stuck on this issue and refusing to move, refusing to come off her home base, refusing to find a way through, to find a win-win solution to this. In the last Assembly sittings she was saying, "We are not talking to them because they are not doing it agency by agency". She would not be flexible. The only reason she has anybody signed up to any agreements in this dispute is that some of the unions have shown sufficient flexibility - a flexibility that Mrs Carnell knows nothing about - to see it as being to the benefit of their members to sign an agreement rather than go on forever with no agreement signed.

Mrs Carnell has signed a number of individual agreements, all giving basically the same terms and conditions, union by union. She could have achieved exactly the same thing, Mr Speaker, if she had bothered to talk to the unions and negotiate with them in the way that they wanted. Instead, she has extended this dispute. She has cost her workers money and she has cost the community convenience because of her stubbornness, because of her inability to compromise, because of her attitude of win, win at all costs.

Another characteristic which Mrs Carnell has portrayed in this dispute is vanity and pride. For Mrs Carnell it is more important to win the public relations war than it is to resolve the dispute. At a time when unions and the Industrial Relations Commission complained that Mrs Carnell would not negotiate, what was her response? Instead of spending time sitting down and talking to the unions and finding ways through this dispute, what did she do? She put out a series of so-called revised offers at 7 o'clock, or 8 o'clock or 9 o'clock at night, purely for the benefit of the newspapers and the radio. There was no expectation that the unions were going to accept them, no expectation that they would be acceptable to the members of those unions. She put them out just to get herself a headline in the *Canberra Times* and publicity on the morning radio. It was a public relations stunt. Her energy went into those public relations stunts, not into resolving the dispute. Meanwhile, the bills clocked up for the community and the inconvenience went on.

At a time when she should have been engaging in meaningful dialogue with the unions about the matters in dispute, Mr Speaker, she was slavishly following the public relations path and doubling the term of the agreement so that she could double her offer. What a brilliant move! Did that advance the cause? Did that get the dispute closer to being resolved? Of course it did not, Mr Speaker. It was a public relations stunt. It was something that was done for one reason and one reason only - so that she could get out another press release, another fake offer, to satisfy her desire to be winning the public relations war. It did not advance the cause one iota over the matters that were in dispute.

In recent weeks Mrs Carnell has claimed victory repeatedly. She has boasted that the back of the dispute has been broken, that the matters in dispute are resolved; but, of course, they are not. The best part of 90 per cent of ACT Government workers do not have an agreement. The best part of 90 per cent of ACT Government workers do not have a pay rise. I do not know about anybody else in the chamber, but I would not call that resolved. There is still no-one collecting the parking fees out the front. There is still no-one handing out the parking tickets out the front. There is still 90 per cent of the workers not collecting a pay rise. That does not sound like it is resolved.

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For Mrs Carnell, facts are not important. Mrs Carnell does not care that the dispute is not resolved. She does not care, just as long as she is getting some good headlines. Mrs Carnell boasted on ABC radio recently that it was a good thing that not all the unions had signed up because the longer it took the unions to sign up, the more money she would save, which would all go to pay for the cost that she has imposed on the community from this dispute. That is a fact, Mr Speaker. She would rather have people not getting a pay rise so that she can save the money to make up for the costs that she has imposed on this community from this dispute.

Perhaps most seriously, Mr Speaker, Mrs Carnell has portrayed in this dispute her duplicity, her double standards. Since industrial action began, Mr Speaker, she has consistently refused to deal with the Trades and Labor Council, arguing all the time that she could not talk to anybody while there were bans in place; but the first two unions that she offered individual offers to were the two unions that had those bans in place and that she said she could not talk to.

Mrs Carnell: That is because they came to see me. They came to see us.

MR WHITECROSS: No, that is not true, Mrs Carnell. You went to see them. Again and again she went into the Industrial Relations Commission and argued that it would be wrong to talk; yet talk she did. She said that it would be wrong to talk to unions that had bans in place, but offer them she did. Mrs Carnell complained only last month in this place that the use of protected industrial action - something which is provided for in the Industrial Relations Act and is part of the enterprise bargaining process - meant that she could not appeal to the umpire, to the Industrial Relations Commission. But what happened every time she did go to the Industrial Relations Commission? She lost. She lost 11 times straight. The unions twice went to the Industrial Relations Commission to ask her to talk to them.

Members interjected.

MR TEMPORARY DEPUTY SPEAKER (Mr Wood): Order! There is too much interjection.

MR WHITECROSS: The unions twice went to the commission and asked it to tell Mrs Carnell to come and talk to them, but Mrs Carnell still would not talk to them. The unions got the commission to ask Mrs Carnell to conciliate. Mrs Carnell tried every procedural trick in the book to avoid having to go to conciliation. What did Commissioner Holmes have to say about Mrs Carnell's approach to this dispute? Commissioner Holmes said, "It is with great restraint" - and great restraint it must have been - "that I am drawn to conclude that, put at its mildest, Mrs Carnell's actions can only be adjudged as a gross discourtesy to the other parties to the proceedings and to the commission". Commissioner Holmes described Mrs Carnell's approach as a gross discourtesy. I would have thought that words like "hypocritical" and "two-faced" spring to mind. I would have thought that a phrase like - - -

Mr De Domenico: I raise a point of order, Mr Temporary Deputy Speaker. Mr Whitecross looked at Mrs Carnell and suggested that Mrs Carnell was hypocritical. We have been through that before. I ask you to rule that that is unparliamentary.

MR TEMPORARY DEPUTY SPEAKER: No, there is no point of order. He was talking in general terms about positions. Whether he looked at someone or not is another matter.

MR WHITECROSS: Perhaps the worst thing about the characteristics of Mrs Carnell which have characterised her handling of this dispute is that she just does not care. She just does not care about the inconvenience to the community. She does not care about the lost money. She does not care about the hardship. She does not care about whether her work force gets a pay rise. She does not care about cooperating with them. She does not care whether the Industrial Relations Commission thinks that her actions are grossly discourteous. She just does not care. All that she cares about is herself. She cares about getting things her own way. She cares about winning her own public relations war. She cares only about her own power and her own ego. What she does not care about, Mr Temporary Deputy Speaker, is resolving this dispute. The dispute is still unresolved. She is still in conflict with her work force, and the community have a right to be angry about that. They have a right to be angry about the way she has mishandled this dispute.

MR TEMPORARY DEPUTY SPEAKER: Order! The member's time has expired.

MRS CARNELL (Chief Minister) (3.49): Mr Temporary Deputy Speaker, this first matter of public importance from Mr Whitecross is a very interesting one. He is getting to the advanced stages of the acting classes. It is really going down quite well now. The performance simply has been lost on this Assembly and on the whole of the ACT community. I think he has really been dumped on by his deputy to bring this matter of public importance forward today. In a situation where we now have agreements and all bans lifted from 12 of 16 unions, and discussions going on with all of the other unions, it seems a very interesting day to bring forward such a diatribe.

I would like to take this opportunity to remind members of the strong line and the strong involvement that those opposite have had in this protracted industrial dispute. They have always said that the Government really should cave in to the Trades and Labour Council and their collective push. Mr Berry has made that clear the whole way through. Mr Whitecross has said, or inferred, similar things - just cave in, give them what they want, and then we will not have any bans.

As all of those opposite and those in this Assembly would know, the first claim by the union was 9 per cent fully budget supplemented over 18 months. If it had been up to those opposite, we would have caved in immediately. No bans; fine. All on the table. A \$27m price tag to the ACT community; a \$27m full year effect; not one-off, but every single year. The second even more unusual request was for 14.7 per cent over 2½ years, with 11.7 per cent of that fully budget supplemented. The ACT taxpayer simply cannot afford that amount of money. But those opposite have done this before. They have given

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pay increases that were not in the budget - increases to teachers and to nurses that they did not bother budgeting for. They just put them in there and hoped like hell that somebody would pay for them in the end. The only people who can pay for wage increases, no matter how justified they are, are the ACT community, and we are not in the business of allowing wage increases and reaching agreements that Canberrans simply cannot afford.

The level of misinformation that has come forward the whole way through this dispute is simply unacceptable. Mr Temporary Deputy Speaker, those opposite have supported the whole approach of a centralised agreement all the way through - no necessary productivity, no requirement for productivity as part of these agreements. What has the Government said? The Government has said that there is this much in the budget. There is 3.9 per cent over the term of the agreement. We have been willing to put into that budget-funded area the 0.8 per cent that we have saved from senior executive salaries, a 1.1 per cent element for whole-of-government efficiencies as incentives to achieve reform in a number of areas, like award reform, triple R, streamlining, workers compensation and so on; and on top of that all that we are asking for is that productivity be achieved. That is not such a dramatic prospect. In fact, it is exactly the approach the former Federal Labor Government took. Mr Whitecross has made it clear time and time again that enterprise bargaining is about productivity, about actually achieving productivity. Unfortunately, that was not exactly the view that Jeremy Pyner took. His view was, and I quote again, "9 per cent fully budget supplemented over 18 months".

What we need now, after listening to the new Leader of the Opposition, is some other bipartisan approach. Mr Whitecross said quite simply that he supported the view that productivity should be part of this agreement and productivity should be actually delivered. So why do we not get an agreement from those opposite to go down the path of arbitration? If we really want an outcome that we can all live with and that is properly determined by an independent person, let us go to arbitration. Unfortunately, the Government cannot do that, Mr Temporary Deputy Speaker. The Government cannot go to arbitration unless we have agreement from the unions that are outstanding.

Mr Berry: That is not true either.

MRS CARNELL: That is true.

Mr Berry: That is not true.

MRS CARNELL: I am sorry, Mr Berry; it is true. Mr Whitecross used the word "mismanagement". It is difficult to judge Mr Whitecross's own management skills because right at this stage no-one in Canberra knows who Mr Whitecross is, let alone whether he has any management approach. Up until this stage I expect we have no management approach from Mr Whitecross, and certainly today's MPI has not been a very good start.

One of the things that we would like to make clear today is that negotiation is not the same as capitulation, Mr Whitecross. It seems that those opposite believe totally that negotiation is about giving in to the other side. I suppose that Mr Whitecross really does have a few problems here. Why is he in the job? Because the unions supported him into the job. It is that simple. I suppose that it is very difficult for him now to accept that there should not be capitulation. There should be consideration of the Government's various offers and the unions' various claims.

I can guarantee that the Government carefully considered each of the union claims. The first 9 per cent claim in September, the one that would have cost the people of Canberra \$27m, came six weeks after the Government's first offer, and then, of course, we had the 14.7 per cent claim. We considered it. We considered it very carefully because the last thing we wanted was a dispute that was costing the ACT taxpayer significantly. We considered that the ACT community did not want to pay up to 30 per cent increases in some charges if we went ahead with that. Our view is, and remains, that the people of Canberra do not want huge tax increases to pay for wage increases that are not traded off against productivity, or not appropriately traded off against productivity. It seems to me that the responsible view that has been taken through this whole industrial dispute has been taken by the Government, not by those opposite, and I believe that the mismanagement has been by those opposite.

It has been very interesting to hear from various unions comments about the involvement of those opposite, particularly Mr Berry. It appears that Mr Berry was often in receipt of press releases from the Trades and Labour Council before the unions who were actually involved, the affiliates, even had copies, according to the various unions, of course. It seems that people like Mr Berry were briefed on the whole industrial dispute, or the tactics, which were not very good, that the Trades and Labour Council was planning to put in place before the dispute or the whole process started. It seems that Mr Berry, or Mr Berry's office, was often on the phone during delegates meetings suggesting approaches. That does not indicate to me any will on the opposite side of this house for a resolution. It seems to me that Mr Berry was trying to hype the whole thing up, to make the people of Canberra hurt worse. I suppose he hoped that at the end of the day we would hurt worse. He is quite happy to use Canberrans in that approach.

I am told categorically that, when the Government determined that an independent facilitator would be a good approach and we approached Des Heaney - not a renowned member of the Liberal Party, I must say - to be that facilitator, Mr Berry was running around suggesting that a former secretary of the New South Wales Trades and Labour Council had been engaged by the Government, attempting to scare people, attempting to make them believe that we were bringing in somebody from outside who did not understand the ACT to facilitate in this thing. Many of the unions made it clear that Mr Berry made those phone calls.

One of the things that we have to realise is that that knock-back, that undermining of having an independent facilitator in at that stage, has cost dearly. As it has turned out, Mr Heaney and his associates have been closely involved in virtually all of the negotiations, or at least a large amount of them after this whole process got back on the rails. We have also had people like Prue Power - not somebody who has links with

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the Liberal Party - attempting to facilitate negotiations or discussions with the nurses union. Again, you could not say that this Government was in the business of bringing in people without a knowledge of the ACT or with Liberal Party affiliations.

What we have here is a situation where those opposite hyped up this dispute and made it substantially worse than it would have been; so where is the mismanagement, Mr Temporary Deputy Speaker? Who mismanaged this dispute and who does not care? We have a very clear position here. Those on this side of the house have taken an approach very much in line with that of the former Federal Labor Government. We have taken an approach that has looked at agency specific and union specific bargaining. We have looked at coming up with a pay increase that the people of Canberra can afford. Certainly, we have ended up with a bill for the people of Canberra that I would have preferred not happen.

If those opposite had cared more about solving this dispute and had not hyped up the whole situation, we may not have lost in the vicinity of \$3m in revenue from ACTION, \$750,000 from parking fees, \$250,000 from waste management, \$220,000 from parking infringements, and \$160,000 from vehicle inspections. Rounded, that is about \$4.7m. Until this dispute finishes we will not know the whole cost. But, Mr Temporary Deputy Speaker, one thing it has not cost is \$27m a year, every year, which is what it would have cost us to go down the path of the initial pay claim from the unions.

Mr Berry: So what will it cost for the 10 per cent?

MRS CARNELL: Mr Berry asks what it will cost for the 10 per cent. I have outlined already that 7.1 per cent of the 10 per cent is budget funded. Of that, 1.3 per cent a year over the term of the agreement comes from the money that is already in the budget. On top of that we have 0.8 per cent from SES savings. On top of that we have 1.1 per cent, which is incentive payments for things like the triple R award and so on. On top of that 7.1 per cent, it is productivity based, and the productivity measures must be delivered prior to payment.

What we have is agreements that the ACT taxpayer can afford from within the current budget approach. It would appear that at least a significant number of unions realise that the ACT Government approach is not ideological; it is an approach that actually looks after the people in the workplace. We heard some very interesting comments from people like Peter Devine from APESMA, who said on 2CN, "This is being run by a group of people who are not that experienced in industrial relations terms". He was talking about the Trades and Labour Council.

Mr Whitecross: Are you sure that he was not talking about you?

MRS CARNELL: No, he was definitely talking about the Trades and Labour Council. I am very happy for you to ask him. I was very interested to hear at some stages in the dispute that the ACTU was being called in - the big guns. This was going to solve the whole problem. The Government was going to be nailed to the wall. What happened to the ACTU? Why were they sent packing? Was it because they were too sensible, Mr Temporary Deputy Speaker? Certainly, that is our understanding. The ACTU federally believed that the approach that was being taken was just out of the ballpark.

To finish, Mr Temporary Deputy Speaker, I think we should talk about the cost to the ACT community of this whole situation, a situation which Mr Whitecross has tried to suggest is somehow the Government's fault. The Government has not put in place one ban. The Government has achieved a situation where we have, at least for 12 of 16 unions, a pay increase that can be afforded from within our budget capacity. The productivity issues that have been outlined in the various agreements will improve community services, will allow our services to be of better value to the community, and will certainly improve the workplace situation for many of those people. We have agreements with unions such as APESMA which potentially will improve the quality of the people that they have.

Mr Berry: How many members?

Mr Whitecross: How many members is that?

Mr Berry: Eighty-five?

Mr Whitecross: Forty?

MRS CARNELL: I do not think it matters how many members, Mr Whitecross. I think it matters that we have workplaces that are better for the workers - better training, a better focus on the workplace, and a better focus on the client, the customer, the people of Canberra. That is the approach that we have taken.

The other thing I would like to mention before I finish here is the unbelievable approach that has been taken by some union officials, Cath Garvan being one of them. She said on radio, I think just recently, that somehow higher duties allowances had been removed from people for some reason, because my pay and the pay of my chief executive had been interfered with by the union. Certainly, that did happen; but I can guarantee that at no stage were higher duties allowances cut for that particular purpose. I can guarantee that my chief executive never decided not to reinstate higher duties allowances for that purpose. I will table a letter that went to Cath Garvan along those lines.

MR BERRY (4.07): This matter of public importance will clearly focus attention on the failure of Mrs Carnell's leadership in this industrial dispute. I want to start by going to the issue of who was in charge of this dispute. At first it was Mr De Domenico, but early in the proceedings Mrs Carnell worked out that there were a few crisp headlines in this one and it was time for her to take over and grab the headlines. Then there was a litany, a flood of press releases that went throughout this dispute. I have here just under 50 which, I have to say, are peppered with lies and innuendo. These are all press releases that have been issued from Mrs Carnell's office.

I will go through some of the chronology of this dispute. We have to start from Mrs Carnell's 1995 budget. The decision was to cut 3,000 jobs from the ACT public sector. When you tell your work force that there are 3,000 jobs to go and then start to try to negotiate a pay increase on the basis of job cuts, your work force has to be a little bit upset about that. These days, if you have not noticed, job security has become a very important part of industrial negotiations. Then Mrs Carnell hired the controversial union bashing consultant, Mr Houlihan, to advise her on enterprise bargaining.

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I note, Mr Temporary Deputy Speaker, that the Federal Government has engaged him as well to assist them with the development of their industrial relations policy. I suspect that that also will send a message to the trade union movement throughout this country, and it is not a message of cooperation. In December Mrs Carnell achieved the dubious honour of becoming the first public sector employer in the country to threaten to lock out its employees.

This is the Government that is trying to settle an industrial dispute, so Mrs Carnell tells us. She tried to reshape history in her speech in this place today. She tried to avoid all of the controversial headline grabbing exercises that she was involved in in this industrial dispute and tried to turn the responsibility onto the Labor Opposition, which, of course, nobody will be fooled by. Then, in January, the Government started talking about forced redundancies. Bear in mind that workers throughout the Territory are concerned about the future of their jobs. We had a threat of a cut of 3,000 jobs in the first place, and now we have the Government talking about forced redundancies. This was an issue for workers right throughout the dispute. On my understanding, in all of the agreements thus far, the Government has withdrawn from that position, and many of those unions have been able to protect the jobs of their workers for the future. Why on earth would a government allegedly trying to settle a dispute threaten to sack workers? Because they want to keep the dispute going; they want to have their little game and grab a few cheap headlines. Bear in mind that they already had threatened to lock some workers out. In February the Government began attempts to split off some unions by offering striking workers more than the official Government offer.

I turn to some of these press releases which are peppered with those lies I spoke to you about earlier, Mr Temporary Deputy Speaker. The Government had said that they would not continue negotiations with unions while bans were on. Their press release said, "Bans must be lifted for negotiations to go ahead". All of a sudden, they make an offer to some unions behind the scenes and try to buy them off. That is a really smart tactic, but it is not the sort of tactic that would create a lot of confidence in the people you are negotiating with across the table. This is the Houlihan tactic that we have seen evident in this country on many occasions before. It is a union busting tactic.

People like Mrs Carnell and Mr De Domenico walk around with their chests out after they have issued a few controversial and provocative press releases and say to all of their supporters in the Liberal Party and in other conservative nests around the Territory, "We have done your bidding". I suppose that some of them would say, "You are doing a good job out there too". "But you are not settling the industrial dispute", some would say. People like Ossie Kleinig would say that you are not settling the industrial dispute because you are causing damage to business in this Territory.

Mrs Carnell: That is right. He thought the unions should have withdrawn immediately.

MR BERRY: You caused it. You caused it because you dragged it out. You deliberately provoked this industrial dispute to a point where businesses in this city are being affected by millions of dollars. That was caused by the actions that you have taken.

Mr De Domenico: Tell your mates to lift the bans.

MR BERRY: Even your own mates are starting to raise questions about your handling of the industrial dispute.

Mr De Domenico: No, they are not. They are fine. They are rock solid behind us, like the community is; rock solid behind the Government.

MR BERRY: Me thinketh, Mr De Domenico, you protesteth too much. I do not think they are rock solid behind you; otherwise they would not be coming out and saying in the newspaper, "We have to settle this dispute; it is costing us". That is what the issue is here.

We saw throughout this dispute Mr Walker issuing threatening e-mails to staff, well and truly involved in the politics of this dispute in an unprecedented way. I have never seen, in my history, people like heads of administration in the ACT involving themselves at a personal level in industrial disputes. This was his own war with his own staff. It was Mrs Carnell's war with the unions; it was Mrs Carnell's war with the Trades and Labour Council. Mrs Carnell tried to focus all of her attacks on the Trades and Labour Council and to blame Jeremy Pyner for the high price of fish in Broken Hill and every other thing that was going wrong in the country; but the fact of the matter was that this was a union dispute with the Government and Mrs Carnell decided that she was going to take on the world.

In February the Chief Minister talked about the pay rise being extended and increased, but I see that she also threatened to cut the pay increase by, I think, one per cent because of the cost of the industrial dispute. What a way to settle an industrial dispute - to threaten to cut the offer!

Mrs Carnell: But it is all right to escalate bans?

MR BERRY: Mrs Carnell says, "I never put on any bans". Here is one ban she put on. She banned paying them the full amount of her pay increase if they did not agree with her. That is what that boiled down to. I do not know why she has taken a personal position with Mr Hagggar from the teachers union. In these press releases I spotted a couple where she personally attacked Mr Hagggar because of where he lived.

Mrs Carnell: That was because he said that taxes should go up.

MR BERRY: What has that to do with the industrial dispute? She attacked the secretary of the union because of his address. It is really interesting stuff.

Mr De Domenico: Because he said, "Let's increase taxes for everybody in the ACT". It does not worry him; he lives in New South Wales.

MR BERRY: I hear from the interjections the issue of how much the taxes would go up - another lie; another lie designed to enrage trade unionists. What Mrs Carnell said was that householders' rates would go up by 30 per cent - a lie. It would never have happened. It has never happened in the past.

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Mrs Carnell: Well, sorry; \$225 per household. Is that better?

MR BERRY: Here we go; Mrs Carnell says “\$225 per household” - another lie. It continued time after time, throughout these press releases which are peppered with lies.

Mr Kaine: Mr Speaker, I do not think it is acceptable behaviour for Mr Berry to continue to say that the Chief Minister is lying. He has repeated it. I think it is time you pulled him up and held him to the standing orders.

MR BERRY: All I have said, Mr Speaker, in relation to this matter, is that these press releases are peppered with lies, and they are.

MR SPEAKER: Whose press releases are they?

MR BERRY: They are press releases from the ACT Government, from the Chief Minister.

MR SPEAKER: They cannot be from just the ACT Government.

Mr De Domenico: Whom are they from, Mr Berry? Whose name is on the top of the page there?

MR SPEAKER: Order! Are they an individual's press releases?

MR BERRY: I do not know who wrote the lies, Mr Speaker, but they are credited to Mrs Carnell.

MR SPEAKER: If we are reflecting on an individual - - -

MR BERRY: We are reflecting on the press releases, Mr Speaker.

MR SPEAKER: If you accuse the Government of lying, then, as we know, it is a bit like referring to the Government as being a pack of hypocrites. I will allow that; but I will not allow you to refer to an individual, even indirectly, as lying.

MR BERRY: Mr Speaker, the community knows the worth of these statements.

MR SPEAKER: Do not reflect on the individual as being a liar.

MR BERRY: Mr Speaker, I withdraw any imputation that Mrs Carnell lied in this place.

Mr Kaine: Mr Speaker, I sought your intervention because the member had already identified the fact that all of those - - -

MR BERRY: I withdraw any imputation.

MR SPEAKER: Thank you.

MR BERRY: It is getting a bit too hot for you.

Mr Kaine: Would you ask him to sit down while I am making my point of order?

MR SPEAKER: Resume your seat, Mr Berry.

Mr Kaine: The member had identified the fact that those media releases had been put out by Mrs Carnell. Therefore, when he continued to repeat the fact - - -

MR BERRY: I withdrew it, Mr Speaker. I have already withdrawn it.

Mr Kaine: His time is up.

MR SPEAKER: Order! The member's time has expired.

MR DE DOMENICO (Minister for Urban Services and Minister for Industrial Relations) (4.17): Mr Speaker, I think it is important to bring to the Assembly's attention some new information I have received in the past 48 hours. This information sheds light on a previously unreported aspect of this enterprise bargaining dispute - exactly what role has been played by the Opposition during the past seven weeks. The Labor Party makes no secret of its close links with the trade union movement. Indeed, it is a pretty well-known fact that, whenever an official moves from a trade union into politics for the Labor Party, it is referred to as a transfer from the head office to the branch office. What this Assembly has not been told about while this dispute has been going on is the repeated, deliberate attempts by Mr Berry to undermine any progress in negotiations between unions and the Government.

I have become aware, through discussions with members of various trade unions, that Mr Berry threw his total support behind the Trades and Labour Council's campaign, even to the point of spreading misinformation amongst some unions that were concerned about the direction that the TLC was taking. In short, Mr Speaker, it has become clear that Mr Berry is one of the driving forces behind this prolonged campaign of bans and strikes, urging union members to ramp up their efforts to new levels. Mr Berry, more than anyone else in this chamber, stands condemned, Mr Speaker, for actively encouraging industrial warfare, not negotiation, as the standard response of the trade union movement.

When this Government was talking to the TLC about using an independent facilitator to aid negotiations, what was Mr Berry doing? He was on the phone, spreading rumours that Mr Michael Easson, the deputy chair of ACTEW and the former secretary of the New South Wales Trades and Labour Council, had been engaged by the Government when he knew that it was not the case. He knew that.

Mr Whitecross: You could not sell this story to the brothers Grimm.

MR DE DOMENICO: Just wait and listen. Several unions have reported that Mr Berry's office received media releases from the TLC, as Mrs Carnell said, before they themselves even got copies; and, wait for this, both Mr Berry and Mr Brereton -

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remember him, the now Opposition spokesperson on foreign affairs or something - were briefed extensively and frequently on the strategy that the TLC was going to pursue in its campaign of protected industrial action.

Mr Berry: The next minute you will be saying that we are close colleagues.

MR DE DOMENICO: Let Mr Berry deny that in this place. Let Mr Berry stand up in this place and deny that. There is dead silence. In other words, Mr Speaker, Mr Berry was intimately involved in the strategy and the coordination of the union campaign. There is no doubt about that. When the Trades and Labour Council's combined front collapsed in a heap, what did Mr Berry attempt to do, Mr Speaker? Did he support the Government for reaching agreement with 12 out of 16 unions? No. What did he do? He engaged in a desperate attempt to shore up individual unions from breaking away from the TLC, urging them to stay united and not deal with the Government separately. This is Mr Berry.

As Mr Berry knows, Mr Speaker, this exercise was like sticking his finger in the hole in the wall of the dyke as the water came gushing through; but he attempted, all the same, to bind the unions together under the TLC umbrella. That is the stuff that was done in the Industrial Revolution days, or back in the year when Fidel Castro was first elected. Quite seriously, Mr Speaker, if anyone has deliberately sought to prolong this dispute, both overtly and covertly, it is the former fireman himself who can take the credit for that. Ironically, Mr Speaker, which was one of the first unions to break away from the TLC? The United Firefighters Union, notwithstanding the fact that they no longer had the magnificent intellectual ability of Mr Berry's industrial relations advice. What did they do within 2½ minutes? They broke away. They said, "Listen, we will take the money, Kate. You beauty. You little ripper. Forget about what Wayne says; we will take it and run". They did, and then the avalanche started, Mr Speaker.

Let me repeat myself. If anyone has deliberately sought to prolong this dispute, both overtly and covertly, it is the former fireman himself. He ran around the Territory for weeks with a scare campaign that the Government was moments away from locking out thousands of poor, unsuspecting employees. Mr Berry even went so far as to claim that the Government was going to lock out health workers because of the blow-out in the budget. He went around saying that as well. That is the kind of scaremongering that is Mr Berry's trademark. He specialises in those sorts of scare tactics. Remember this little gem from Mr Berry about the Alliance Government in June 1990, when he said:

It is only a matter of time before a resident of Canberra dies because of this Government's mismanagement of the hospital system.

That is what Mr Berry said, Mr Speaker. For what? He was talking about political headlines. That is what Mr Berry said. He used that sort of scare campaign, going lower than a snake's belly, just to try to grab a political headline.

All along in this dispute Mr Berry has sought to divide, to spread rumours, to misrepresent the true position of the Government and individual unions, and to ensure that Canberrans suffer for as long as it takes to fulfil his political objectives. That is what Mr Berry is all about. His aim throughout this dispute has been none other than to bring

down this Government, to get back on this side of the house without having to face the people of the ACT again. That is what Mr Berry is all about. We will not let him do that, Mr Speaker. This Assembly will not let him do that. Has he put forward any constructive ideas? Has he suggested, on one single occasion, that any bans should be lifted, under any circumstances, by the union movement? Of course not.

I suppose Mr Berry thinks it is funny, Mr Speaker, that elective surgery has been banned. Does he think it is funny? I hope not. If anyone has engaged in provocation, it is Mr Berry. If anyone has engaged in a misinformation campaign in the community, it is Mr Berry. Who can forget his laughable performance on radio with Elizabeth Jackson a couple of weeks ago - I am advised of this, because I do not listen to the ABC - when he suggested, I am told, that the Government was putting sick leave and other basic conditions on the negotiating table? Absolute nonsense! Mr Berry would have known that, but what did he do? He continued to misinform. Even the TLC had to walk away from that red herring. Even Mr Pyner walked away from that one.

Perhaps the only suggestion that he and Mr Whitecross have put forward throughout this dispute has been to do what Labor did when it was in government. What did the Labor Party do when it was in government? Cave in. "Give them what they want; do not worry too much about productivity; perhaps it will be okay in the fullness of time; and basically borrow what the people of Canberra cannot afford. If you cannot borrow, put it on Bankcard". It is that kind of approach that has left our health and education budgets under enormous pressure because of the unfunded promises made by the Labor Party literally in its dying days of office, and it died a death of a thousand cuts.

Mr Whitecross condemns us for our handling of the dispute, when barely a month ago he endorsed our approach to securing productivity improvements. I quote him from *Hansard*, Mr Speaker, when he said:

Mr Speaker, the fact is that enterprise bargaining is about productivity improvements, and it is productivity improvements that pay for pay increases.

That is what Mr Whitecross said.

Mr Kaine: That was last month. He was not leader then.

MR DE DOMENICO: What does he do? He was elected leader because of the support of the Trades and Labour Council - without Ms Reilly's wonderful, intelligent vote, might I say. Three beats two every time, even though they have six in the party room. Do not wait until the other one comes in; do it when you have the numbers, because that is the way it has been taught by the Trades and Labour Council. Having their support, of course he is going to change his mind. So this week he has changed his mind. Next week, when they have a new leader, we might have another point of view about enterprise bargaining.

What this strike is all about, Mr Speaker, is this: They were hoping beyond hope that the Trades and Labour Council here in the ACT could influence, in some way, the result of the Federal election. What happened? In one of the greatest avalanches of all time the people of Australia told Mr Keating and Mr Brereton what they thought about the way the Federal Government was attempting to do things in this country. What happens now? Mr Howard and his Government have a great, enormous mandate from the people of this nation. The first thing they are going to do, Mr Speaker, is this: They are going to have a look at the industrial relations laws and the unfair dismissal legislation to make sure that we give private enterprise and people who want to employ people a better opportunity to do so. That is what the people of Australia gave this Federal Government a mandate to do. What the people of Australia also are saying is that industrial relations practices like centralised bargaining processes adhered to by the Trades and Labour Council of the ACT, and Mr Whitecross, it seems, right now, are archaic, outmoded, out of date and not relevant in today's modern way of doing industrial relations.

Mr Speaker, let me finally say this: Mrs Carnell has, and will continue to have, the full support not only of the Parliamentary Liberal Party, and not only of the people of the ACT, but also of anyone who has been involved in this dispute. All the decisions made have been made with the full support of Cabinet, with Mrs Carnell heading it, because she does it so well, with the full support of the Parliamentary Liberal Party, and, dare I say, in their own hearts, with the support of most members of the party opposite. We certainly have the support of the people of the ACT. We will make sure that we continue enterprise bargaining in the way it ought to be done. We look to those unions who are still negotiating, the four out of the 16, to do the right thing by their members and make sure that the community does not suffer because of ideology which is archaic and old-fashioned, and does not deserve even to be commented on.

MR KAINÉ (4.26): Mr Whitecross certainly came into the Opposition Leader's job with a bang, did he not? I do not think we need go past the press gallery to see that they are completely overwhelmed - or perhaps underwhelmed - by this so-called matter of public importance. They stayed away in droves. I notice that even the stalwarts from the Labor unions who were in here giving Wayne some support have gone, so they obviously were terribly impressed by this debate.

I suppose that Mr Whitecross next week can go through the *Hansard* with his scissors and chop out the good bits and mail them off to the trade unions so that he can show how macho he was today. He was not actually very macho here, but no doubt the bits that go to the trade unions will show that he was. Of course, at the Labor Club on Friday night, when he is telling his mates about how he decimated Kate, it will be a good story even though the media was totally uninterested, and so was everybody else. This coming in with a whimper indicates how the new Leader of the Opposition is going to fare in the future - another one of those ineffective debates that add nothing constructive to the subject matter.

Mr Speaker, the Labor Party have conducted this debate not so much in terms of the cost, which is what the matter of public importance is purported to be about. As usual, they focused their attention on Kate Carnell and said, "See what a terrible job you did". They did not prove the point that their matter of public importance was allegedly set out to prove anyway. They take up the old rhetoric of the 1950s, of bosses knocking off the workers, and all this sort of stuff. In fact there was none of that at all. If you listen to the Labor Party, that is what we are still doing - the bosses are still bashing the workers. I noticed some reference made to Bill Kelty. I am not sure, but I think they probably did not bring him in here because even they did not want World War III starting in the ACT. They left him out of it.

What really was this dispute about? It was not the case of the Industrial Revolution days with the bosses versus the workers. It was a dispute between the ACT Government as an employer and the people who work for it. You have to substitute for the ACT Government the people of the ACT, because the ACT Government is here for no other reason than to represent them. The dispute, as far as I saw it, was about protecting the interests of the community. Who could honestly come forward and ask for a 14½ per cent pay rise in today's world and expect to be taken seriously; expect to have people say, "Yes, we know that they are looking after our interests as the ACT community. That is what this is all about. They are looking after our interests, nobody else's."? When you get into a debate between the bosses and the workers, which is what the Labor Party has tried to turn this into, you leave out a lot of people. You leave out all those people who need to use the buses every day to get to work. You leave out all the people who need to get access to parking spaces to go about their normal business in this city. You leave out the people who need to go into hospital and have a major operation. You leave out the people who, at the end of the day, foot the bill.

I submit that much of the debate about productivity trade-offs and the like has gone beyond the realm of possibility. I think, Mr Speaker, that for 15 years now people have been getting pay rises on the basis of improved productivity. There comes a point in time when there are no more productivity gains to be squeezed out of the system. I understand full well why the trade unions went in boots and all and said that they want full budget-funded pay rises. They did it because they know that they cannot deliver the productivity gains. They know because they have had experiences over the last couple of years. Where, for example, are the productivity gains that were supposed to be generated in the health system as a result of the 1995 budget? They have not been delivered because they are probably not there to be delivered. From the trade union viewpoint, I can understand why they did not want to get into productivity trade-offs. They believe, I suspect, that they cannot deliver them anymore.

Mr Speaker, I believe that this is another of those pointless debates. It has been muddied by the old "bosses versus the workers" rhetoric. I submit that Mrs Carnell, whether you like her style or not, had only one objective in mind, and that was to protect the interests of the ACT community who, at the end of the day, are the people who are going to pay. I believe that she has done pretty well up to this point.

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MR SPEAKER: Ms Tucker, you have a minute.

MS TUCKER (4.33): I will say very quickly, Mr Speaker, that I am also disappointed in the debate, to a degree. I think there are concerns that should be addressed by both sides in this place and the crossbenches. They really have not featured in the discussion at all. Mr Kaine referred to productivity. There comes a point when you cannot find it. You still have to provide a living wage for people. Already it is very difficult in certain areas, such as nursing and teaching. We have asked these questions over and over again.

In conclusion, if I have only a minute, why cannot we have a more meaningful discussion about the impacts of these sorts of constraints on the whole community and make sure that the vulnerable in the community are not suffering? I do not see that happening, and I suspect that they will be the ones to suffer. I encourage all members to try to look at this in a more constructive manner because it is not going to go away.

MR SPEAKER: The time for the discussion has now expired.

LEGISLATIVE ASSEMBLY (MEMBERS' STAFF) ACT - DETERMINATIONS Papers

MRS CARNELL (Chief Minister): Mr Speaker, for the information of members, I present a determination made pursuant to subsection 6(2) of the Legislative Assembly (Members' Staff) Act 1989, and another determination, which has been made pursuant to subsection 11(2) of the Act.

WEAPONS (AMENDMENT) BILL 1995

Debate resumed from 7 December 1995, on motion by **Mr Humphries**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Question proposed:

That this Bill be agreed to.

Debate (on motion by **Mrs Carnell**) adjourned.

PLANNING AND ENVIRONMENT - STANDING COMMITTEE
Report on Draft Capital Works Program

MR MOORE (4.35): Mr Speaker, I present Report No. 10 of the Standing Committee on Planning and Environment, entitled "The Government's 1996-1997 Draft Capital Works Program", together with a copy of extracts from the relevant minutes of proceedings. I move:

That the report be noted.

Pursuant to the resolution of the Assembly of 1 June 1995 as amended on 24 August 1995, the report was circulated when the Assembly was not sitting, on 11 March 1996.

Mr Speaker, I think it is appropriate, as part of the response to the draft capital works program, for me, first of all, to thank the other members of the committee and particularly the secretary of the committee, who did a tremendous amount of work to ensure that this report was completed within a very tight timeframe. The Chief Minister and Treasurer had requested that we report by 19 February 1996. Indeed, as it turned out, Mr Speaker, that timeframe was not possible; but I believe that the committee did particularly well to have the report circulated on 11 March 1996.

A number of very important issues come out of this report, Mr Speaker. I think the first thing that I should say about the report itself is that we recognise the improved work of the Government in presenting material to the committee. There is, of course, always room for more improvement, and we have made some suggestions for that. But the level of detail and the setting out of the material that was presented to the committee this year were major improvements on previous years, and the committee certainly appreciated the effort that had gone into the preparation of that material so that we could understand what was going on.

Mr Speaker, one of the important suggestions of this committee is that:

the Government require its off-Budget agencies to submit their draft annual capital works program to both Government and this committee, in the same manner and according to the same timetable that applies to other agencies (to commence in 1997) ...

Mr Speaker, it is very important for us to recall that, although the whole of the capital works budget appears to be presented to us, there are two notable areas of very large expenditure that were not looked at by the capital works committee. The first of those is ACTEW and the second is the Housing Trust. It seems to me, Mr Speaker, that taxpayers' money, in whatever form - even if we do call it off-budget - that is spent on capital works ought to be examined by this Assembly through its committees on behalf of the people of Canberra. So we look forward to a very positive response there.

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We also recommended that:

the Government advise the Assembly on the full justification and costs of the proposed stormwater augmentation works for the ACT (especially in the inner north of the city) ...

We chose this particular area, Mr Speaker, because the justification was put to us that there had been one report and the one report said that there may be some legal liability in terms of stormwater. Mr Speaker, it is a good argument to convince people; but we felt that it was rather facile and we believed that it was simply an attempt to pull the wool over the eyes of the committee. That stormwater augmentation is worth huge sums of money, compared to other areas, and I believe that it is something that needs to be considered very carefully.

There is some irony as well, Mr Speaker, in terms of that stormwater augmentation, in the fact that, on a number of occasions when the previous Planning Committee had asked about the urban infill strategy and redevelopment of the B1 area and the impact it would have in terms of capital works, that committee had been told that this information was not necessary, that there would not be extra expenditure. It would appear, indeed, that the extra expenditure was significantly understated. We say in paragraph 4.14:

... what the committee has now learnt is the costs of the urban infill strategy in Canberra, and especially in the inner north of the city, were significantly under-stated. This year's Draft Capital Works Program reveals that millions of dollars will need to be spent on stormwater augmentation in the inner north. ...

Mr Speaker, we had it explained to us that part of the reason is that, when areas are redeveloped, less water is absorbed; more water hits concrete or roofs and runs into the stormwater system. So it is rather interesting to see a very different picture painted now that it is time to carry out that kind of augmentation.

Mr Speaker, another area that I think was important to look at was the duplication of Mouat Street. The Standing Committee on Planning and Environment has been informed that the feasibility of other options there has not been fully considered. To all of us it seems, Mr Speaker, when we look at a plan of Canberra or when we drive in the area, that the continuation of Ginninderra Drive to Northbourne Avenue is the most logical way to go. Indeed, as this was not carried through, one has to ask what pressure there was to look at the duplication of Mouat Street, with all its disadvantages not only to the residents of Belconnen but also to the residents of Lyneham, O'Connor and Turner.

The committee believes that it is appropriate for us to revisit that area and once again look at the continuation of Ginninderra Drive. I will ask the Chief Minister simply to take a look at a big version of the Territory Plan or to drive out there - I am sure that she has driven on that road on a number of occasions - and ask herself why this road was not continued.

Mrs Carnell: Because they do not like it.

MR MOORE: The Chief Minister indicates towards the Greens, but Ms Horodny was part of the unanimous recommendation of this committee to look at that. Ms Horodny, of course, in the discussion raised the issue of commuter traffic and how we reduce reliance on the motor car; but we recognise that trying to achieve that by sending traffic down through other suburbs is not a logical way to go about it and that we need to have an overall transport strategy to look at the issues that she has raised. I am sure that she will talk about that further; but she certainly put a very logical view to the committee at the time. We also suggested, Mr Speaker, that:

the Government defer expenditure on Stage 2 of the AMTECH Estate at Symonston until the results of an environmental assessment are available ... I think that is important.

Finally, Mr Speaker, I point out that we were approached by a number of members of the building industry in Canberra in respect of this recommendation at paragraph 3.17:

the Government take steps to ensure that sufficient design proposals are on hand to enable a start on all possible projects as soon as the Capital Works Budget Paper is passed by the Assembly. If this means that the design proposals should be finalised as soon as the committee's report is tabled in the Assembly, then the Government should consider directing the relevant officers accordingly.

In paragraph 3.18 we recommend:

the Government endorse a broad range of capital works projects for the preparation of forward designs, in order to quickly substitute a lower priority project for one that is on the final Program but which encounters unforeseen difficulties in its implementation.

A good example this year, I think, has been the difficulties with Acton Peninsula, which effectively tied up some \$8m of capital works money which could easily have been set aside for the following year, knowing that that was going to be delayed a year, and other projects could have started. I think it was a very sensible suggestion. I think members saw it that way, and I believe that the Government will see it that way as well.

Mr Speaker, I think there are some very sensible suggestions in the report. Earlier in the day I spoke about the one on bicycle paths. There are some smaller suggestions. The one about the skateboard park in Civic is an important one, and one that I have been interested in for some time. It is not a great deal of money in the whole picture of things; but I think it is a quite important issue for young people. I think that there are a number of areas in the capital works program where young people have been recognised - bicycle paths being one and skateboards being another. It is important that we remember that a huge number of people are involved in where the money goes as far as the capital works program is concerned.

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This is also interesting, Mr Speaker. At paragraph 4.67 the report reads:

The committee specifically asked whether a proposal was put up in relation to the Health building in Moore Street, Civic. Officials told the committee that such a proposal 'was on the draft program but got deleted on the way through the process'; also, that the building itself is a DUS -

Department of Urban Services -

building rather than a Health building.

Paragraph 4.68 reads:

The information about a capital works proposal involving the Moore Street building appears to contradict advice to the committee by Administration officials that the proposals shown in the Draft Program are the same as agencies originally bid for. The committee was told that 'people are being much more astute in what they bid for' and hence only put forward proposals of the value and priority shown in the Draft Program.

I would like to emphasise the last sentence in paragraph 4.68:

The committee does not accept that there is such a coincidence between bids for capital works projects and the final result.

We hope, Mr Speaker, that in the following year we will actually see some of the proposals that are put up, as opposed to having the priorities set by the departments. I think it did come over to us that, for these millions and millions of dollars, the priorities were set by the department. We will be seeking to find a greater input from the community, in terms of what their priorities are, rather than having the priorities of capital works expenditure set simply by departments.

Mr Speaker, Report No. 10 is another unanimous report of the Standing Committee on Planning and Environment and another substantive report. I would like to finish by again thanking my colleagues for their work on the issues, particularly in the very tight timeframe in which we operated.

MR BERRY (4.48): Mr Speaker, I will not be participating in this committee from this point forward. My colleague Ms McRae has been appointed as of today. After a year and a half or so of involvement in this committee, I would just like to say that it has been a very interesting experience and it has been a committee process which I have been quite happy to have had the privilege to be involved in. In relation to this report, I would like to keep my remarks fairly tight. Mr Moore has gone to many of the issues.

The Belconnen Community Council came before the committee and expressed some concern about the limited opportunity for community input. I think they raised some valid points. At the end of the day, we get a draft capital works program which is the Government's program. It is a production by the bureaucratic process of priorities, peppered with some government ideas and priorities as well - or the other way round, depending on how it is formulated. I think Mr Moore indicated earlier that, amongst the submissions to the committee, we were told that just the right amount of submissions and capital works came before the capital works committee; they did not have to reject any. Frankly, you and I know, Mr Speaker, that there are always bids in this process. I found it interesting to hear bureaucrats saying to us, "We get just the right amount of bids. It is just the right number. Here it is - just perfect, don't you worry about that". I think most committee members would need a little bit of convincing on that score.

There needs to be a process developed, I think, where the community can express a view about some of its priorities. The committee might subsequently make some recommendations in relation to those priorities. I know that we are in a situation with executive government where, if you elect an executive government of a particular political flavour, then you get a capital works program of a particular political flavour as well; but I think it would be a good opportunity for the community to put forward some of their priorities in order that they be considered and recommendations one way or another be made to the Government. Whether the executive government rejects them or not is a matter for it, and it is a judgment that it has to make; but I think it is something that the community would be interested in.

I will stick with the Belconnen Community Council on this score, because one of the issues that they did raise was the firm undertakings for a swimming pool in Belconnen. This has been one of my favourites throughout this investigation. Both major parties gave a commitment to the people of Belconnen that they would build a swimming pool. Mr Stefaniak said that it would be as good as, or equal to, the one in Tuggeranong. Nowhere has it appeared. There was some poor bureaucrat before this committee making excuses for the Government, saying that there will be a bit of a survey done in the last year of the Government's term about the provision of a swimming pool. This is a government which promised one, which surveyed the community, it claimed, in the press at the time, to ensure that it provided one. It became a great political issue. The Government equalled the promise that had been given by Labor in that election campaign. The people of Belconnen could rightfully expect that somebody would dig a hole and provide a swimming pool with a roof on it - but not a thing has happened.

What we have learnt, of course, is that a couple of businesses in Belconnen have been a bit upset about the competition that might come from the promise of the Liberal Party, and, of course, the Liberals have fallen into line. I just do not think that is acceptable, and the people of Belconnen will not think it is acceptable either because, if they are given promises by the overwhelming majority of people in this place, you would expect that something would happen. It does not appear that it is going to, and the community will be reminded about this from time to time.

One other issue which I am quite interested in is the provision of cycle paths in the context of this city. In an ideal world, more people should be encouraged to pedal to work; but we have a city that has been designed, I think, to be more suited to the motor car than to cycles. Many people live 15, 20 or more kilometres away from their workplace. The terrain here is not exactly like Holland. It is sometimes difficult. Whilst we might argue that we have to provide all of the incentives for cyclists to cycle as far as they can to work, we are up against it in many ways because we have long distances to travel. Many cyclists will be quite happy with that; but, as one gets on a bit, it becomes a little bit more difficult. I think we have to weigh up in our minds just how far we can go with the provision of cycle paths and so on.

I, quite frankly, believe that we should provide all of the opportunities possible. It is most important that we provide all of the opportunities possible; but we have to recognise that this city has ended up being more suited, particularly in those outer suburbs, for somebody to drive to work. It is as simple as that. Notwithstanding that, we have to provide as much access as we can, safe places for people to cycle to work and cycle recreationally, and so on. One of the interesting things about the great cycle debate is that the surfaces that have been developed for the motor car are surfaces which are entirely suitable for cycles. If it were not for the motor cars, one could expect that cycles may not have developed to the point where they are now. So, they have sort of developed together. We are faced with a situation in this city where we do not have the terrain that is altogether suited to cycles and we certainly have distances which a lot of people would find daunting if it came to riding a bicycle to work.

So, we are really left with the situation, I think, of accepting that a strong public transport system, publicly owned, catering for the needs of the community and honouring those community service obligations, certainly has to be the major priority for any government. Those other means of transport to work - for instance, by cycles - have to be provided, but there are limitations to it. Mr Speaker, I think this is a good report and it will lead to better things. I, too, would like to congratulate the secretariat on putting together the report in the time that was required, and I am quite proud, I suppose, to have been involved in the process.

MS HORODNY (4.57): The capital works budget is obviously an important component of the overall ACT budget, and I am really happy with some of the recommendations that we have unanimously agreed to in the report. I am really pleased that the whole issue of ecological sustainability has been incorporated in this capital works report. Indeed, the very first recommendation states that “the criteria used to assess capital works proposals include the desirability of addressing the principles of ecologically sustainable development”. This obviously is a really important issue for the Greens, and it should be an important issue for everyone else.

The principles of ESD include the issues of pricing of natural resources, the precautionary principle, the protection of ecological communities and the whole issue of addressing intergenerational equity. Although at this stage it might seem a difficult thing for people here to actually address these concerns in the context of capital works, I can assure them that in next year's capital works hearing I will be looking at the matter very closely and asking that the bureaucrats actually justify each of the proposals that they are putting up

in terms of these very important principles. If the bureaucrats need some better direction as to how to apply these principles in the local arena, there is a very good local Agenda 21 paper which has been put together and which clearly spells out how to put these sorts of things in place.

One particular recommendation that I was concerned about was to do with the Mouat Street issue. This whole issue has highlighted the need to really think about traffic management broadly in the ACT.

Debate interrupted.

ADJOURNMENT

MR SPEAKER: Order! It being 5.00 pm, I propose the question:

That the Assembly do now adjourn.

Mr Humphries: I require the question to be put forthwith without debate.

Question resolved in the negative.

PLANNING AND ENVIRONMENT - STANDING COMMITTEE Report on Draft Capital Works Program

Debate resumed.

MS HORODNY: Mr Speaker, I will be brief. Traffic management needs to be looked at broadly in the ACT. I believe that at the moment we deal with traffic management in a very ad hoc way. We need an integrated approach and we need to have a clear view of what our suburbs are going to be like in 10 or 20 years' time. If we do not act now, the traffic problems will simply escalate and create all sorts of problems in the future. Obviously, in the inner north the issue needs urgent attention. It is not just Mouat Street; there is Miller Street in O'Connor and Brigalow Street in Lyneham. Today's paper had an article about Officer Crescent and Ebdon Street in Ainslie, Cowper Street in Dickson, Currong Street in Reid and Kitchener Street in Hughes. I am sure that we can all name a dozen other streets in suburbs which need some attention in terms of traffic calming and indeed possibly redirecting traffic in a very serious way, particularly during peak hours.

The issue of bike paths and on-road cycling has already been discussed today. I believe that we do have a good system of bike paths in the ACT; but, unfortunately - other speakers have made the point already - the direct route is what commuters prefer, for obvious reasons. We really need to look at this issue more fully in future traffic planning. The safe-cycle bike routes also need to be considered and put on the regular

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road maps of the ACT. That is not just about bike paths; it is about roads that are safe to use in lieu of bike paths where those bike paths are not available. That is obviously something that is really important. On the issue of Landcare, the committee recommended that:

the Government increase the funds allocated to Landcare projects, given the strong community interest in this type of project and the obvious benefits to be gained from tapping into the enthusiasm and skills of established voluntary groups ...

But I would also like to caution the Government on this matter. Landcare groups are voluntary groups, as we all know, and I think there is an increasing tendency for governments and the community generally to rely on those groups to do an awful lot of work and in some instances, I believe, to make up for the work that the Government is not prepared to do. The whole issue of the weeds strategy comes in here now. I believe that this is a very important issue and it is one that has not been addressed by any government to date. It is one that we need to look at really seriously, because it is affecting the whole ecology of the ACT.

I think I have talked about this before. Cotoneaster, pyracantha and all the other berried weeds are actually changing the ecology in the ACT, not just in terms of the vegetation but also in terms of the birdlife and the whole balance of the birdlife in the ACT. It provides a food source for the currawongs during the winter period. This encourages the currawongs to stay in the ACT, whereas previously they would have left this area. The fact that they are here in early spring means that they eat the young of other, smaller species of native birds, and that is one of the main reasons why those other, smaller native bird species are in decline. So, I am saying that the weeds issue goes beyond vegetation. It actually is at the heart of the whole ecology of the ACT and needs to be addressed seriously. That means not just relying on Landcare groups to do as much as they can in their spare time; it actually means putting real money into this as a budgetary item, making it a real commitment, and placing real priority on this issue.

I will refer really quickly once again to the issue of a management plan for Namadgi. I have not yet seen the Government give any commitment to making this happen. It needs to happen. It needs to happen very urgently, before any of the ecotourism proposals are actually under way, because we need to be absolutely sure of what we are doing. Again, this goes back to the ESD principle of taking precautionary measures. That means that you do not set up tourism infrastructure and you do not encourage a great tourist industry in areas in and around the park that are fragile and that need management plans to tell us how those areas should be protected and what level of impact is appropriate.

I am very pleased with the recommendations in this report on the capital works program. I certainly hope that the Government takes note of these recommendations and puts them in place.

Debate (on motion by **Mr Hird**) adjourned.

CANBERRA REGION CAMPAIGN

MR SPEAKER: Members, on Thursday, 22 February 1996, Ms McRae raised a point of order concerning an answer given to a question on notice she had asked of Mr De Domenico. Ms McRae considered that the Assembly had been treated with contempt because, in his answer, Mr De Domenico had said:

Any further enquiries need to be lodged with Ferrier Hodgson, the official provisional liquidator.

Ms McRae asked me to follow up the matter and perhaps issue instructions to all people who provide answers to our Ministers.

I would draw members' attention to page 530 of the second edition of *House of Representatives Practice*, where it is stated:

... an answer to a question seeking information about various matters both within and outside a Minister's responsibility is considered fully answered if an answer is supplied to those parts within the Minister's administrative responsibility.

It could be argued that the question did not relate to any of the Minister's responsibilities because it related to a private sector body. However, as the Minister - that is, Mr De Domenico - sought to provide some assistance to Ms McRae and did not fail to provide information that was within his ministerial responsibilities, I rule that there is no point of order.

ADJOURNMENT

Motion (by **Mr Humphries**) proposed:

That the Assembly do now adjourn.

Prime Minister's Official Residence

MS FOLLETT (5.09): I would like to draw attention, very briefly, in this adjournment debate to a matter which has caused me great concern. I refer to the decision of the new Prime Minister, Mr Howard, to make his official Prime Ministerial residence in Sydney, in Kirribilli House, rather than at the Lodge here in Canberra. I regard this as a matter of grave concern for all Canberrans, and I take it up, in particular, as a member for Molonglo who was actually quite looking forward to having the Howard family as my constituents, as had been the Keating family and the Hawke family before them.

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Mr Speaker, this is a serious matter. Canberra was created as the seat of government. That is its primary purpose. I think it is only appropriate, in those circumstances, that the Prime Minister has his official residence here in Canberra. There are a number of aspects of that matter which I think are worth drawing attention to. The first of these is that, I am told, the refurbishment of Kirribilli House to make it suitable for the Howard family is going to cost a quarter of a million dollars. So, the Australian taxpayers are paying a high price for this somewhat churlish decision of Mr Howard's.

However, more significantly as far as Canberra is concerned, the national capital status has always been very much supported and, indeed, enhanced by whoever was the Prime Minister. I would like to draw particular attention to the attitude and the work of the late Sir Robert Menzies when he was Prime Minister. Sir Robert, as a Liberal Prime Minister, was absolutely adamant that Canberra must have the status of a national capital, should be supported as such, and should be developed and regarded appropriately by all of Australia. So, I regard Mr Howard's step as very much an attempt to downgrade the national significance of Canberra. I acknowledge, Mr Speaker, that it is just an attempt at cheap populism by Mr Howard. He thinks he will win some support in New South Wales by sticking to the Sydney residence.

What if the next Prime Minister is, as seems incredibly likely, from Western Australia? Are we going to see a Prime Minister's residence established in Perth, at whatever cost to the taxpayer? It is a silly decision, Mr Speaker, and I think it does no credit to the incoming Government or indeed to the Canberra community and our history and status as the national capital. I think it also sends warning signals to all of us about how Mr Howard might regard Canberra in the future. If he is unwilling to accept Canberra's legitimate role in national affairs, then is he also unwilling to accept Canberra's needs in terms of funding, in terms of the creation of employment, in terms of public service management and maintenance, and so on? This is a very poor message that we have had, as Canberra citizens, as the community that resides in the national capital.

So, Mr Speaker, I think that what we have here from the new Prime Minister is, as I say, an attempt at cheap populism, a bit of a political point-scoring exercise. But it is my hope, and my grave concern, that we will not see this kind of attitude to Canberra continued, so that we see a further downgrading or a denigration of Canberra. I think that would be extremely regrettable.

Dr Bob Brown

MS TUCKER (5.13): I will not keep members long. I just want to announce that we have heard today that Dr Bob Brown is definitely going to be joining us in Canberra, with the Australian Greens. We are delighted to welcome him to Canberra. I think he will be a great presence in the Federal Parliament, and we look forward to working with Dr Brown on many issues.

Dr Bob Brown : Prime Minister's Official Residence

MR HUMPHRIES (Attorney-General) (5.13), in reply: Mr Speaker, I am sorry that I cannot be wetting my pants with excitement at the thought of Dr Brown joining us.

Mr Moore: Have you got a new baby, Gary? Are you conscious of nappy matters?

MR HUMPHRIES: I am. Perhaps that is a metaphor which came to mind fairly readily because of other matters. Mr Speaker, I also want to refer to the Federal election and indicate that I am quite enthused by the resolution with which the Australian people spoke, at the beginning of this month, on the question of a change of government. Ms Follett has raised the problem of Mr Howard not residing in Canberra. Mr Speaker, I think that is a matter of fairly minor importance in the scheme of things. The fact of the matter is that the Prime Minister has lived in Sydney all of his life and has a family in Sydney, with young children going to school in Sydney and children at university in Sydney. I have to say that, if I were in his position, I would make probably exactly the same decision. I think it is quite acceptable for that to be the case.

To use that as some kind of argument to say that the Howard Government does not believe in Canberra, Mr Speaker, I think is just sheer and utter claptrap. It comes from people who are desperate to find some way of starting to attack the decision made only a few weeks ago - a verdict on the former Government which people in this country issued resoundingly. I think it was a verdict that everybody in this chamber should take very careful note of.

Mr Speaker, I think this opens up new opportunities for not just this country but this city in particular. The emphasis on creating opportunities for growth in the private sector is extremely important if this city is to realise a bright future. All of us in this place know full well that there is not, under any government, any likelihood of large growth in the public sector. We all know that the jobs we have all spoken about endlessly in the last few years will come only from the private sector - can come only from the private sector - and the policies that the Federal Government has now announced and promised in the election just past are the sorts of policies that will deliver those sorts of jobs, and not just to other parts of Australia but to Canberra as well. Mr Speaker, I intend to work, as part of the Carnell Government, to harness the opportunities that will flow from that change of landscape. I intend to work with the Federal Government to achieve those goals because they are worthwhile goals that will benefit all Canberrans.

Question resolved in the affirmative.

Assembly adjourned at 5.16 pm