



**DEBATES**  
OF THE  
LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

9 May 1995

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**MR SPEAKER** (Mr Cornwell) took the chair at 10.30 am and read the prayer.

**PETITION**

**The Clerk:** The following petition has been lodged for presentation:

By **Mr Hird**, from 40 residents, requesting that the Assembly act in relation to the proposed development of block 5, section 46, O'Malley.

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

**Dual Occupancy Development, O'Malley**

*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 ACT draws to the attention of the Assembly:

the proposed development at Block 5 Section 46 O'Malley of a dual occupancy of some 340 square metres. We are concerned because:

- . the size and scale of the proposed dual occupancy development is inconsistent with the character of the neighbourhood
- . the area is characterised by single dwelling residences and developments such as that proposed represent a fundamental change about which residents have not been meaningfully consulted
- . there will be significant loss of amenity to residents if this and future similar developments are to proceed

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- . residents have purchased and improved property in this area because of its single residence character
- . residents request no future approval of dual occupancy in Sections 6, 8, 11, 14, 15, 16 and 46 O'Malley.

Your petitioners therefore request the Assembly to:

- . take whatever action is necessary to stop immediately the proposed development at Block 5 Section 46 O'Malley
- . involve the residents in a meaningful consultative process where developments are proposed that change the character of the neighbourhood
- . place the onus on proponents of large-scale developments to prove there is no adverse affect on residents' amenity.

Petition received.

#### **INFANTS' CUSTODY AND SETTLEMENTS (REPEAL) BILL 1995**

**MR HUMPHRIES** (Attorney-General) (10.31): Mr Speaker, I seek leave to present the Infants' Custody and Settlements (Repeal) Bill 1995.

Leave granted.

**MR HUMPHRIES:** Mr Speaker, I present the Infants' Custody and Settlements (Repeal) Bill 1995.

Title read by Clerk.

**MR HUMPHRIES:** I move:

That this Bill be agreed to in principle.

First of all, I indicate to the Assembly that, although I have sought this morning to introduce this Bill, because this legislation is not as urgent as I originally indicated to members it was, I will not be seeking to have this Bill debated this week. I am very happy for this Bill to lie on the table until later this month or some later stage in the Assembly's sittings.

This is a Bill to repeal the Infants' Custody and Settlements Act 1956. This Act allowed the Supreme Court to make orders concerning custody and settlements of children prior to the enactment of the Family Law Act in 1975. When the Family Law Act was originally enacted it applied only to children of a marriage. Accordingly, the Infants' Custody and Settlements Act was still necessary for dealing with children not

covered by the Family Law Act - primarily ex-nuptial children. In 1988 the operation of the Family Law Act was extended, by virtue of the Family Law Amendment Act 1987, to cover not only children of a marriage but also ex-nuptial children, children from blended families, foster children, children from previous marriages and children born with the assistance of artificial conception procedures.

Today the law relating to custody, guardianship and access to children can be said to be governed by the Family Law Act 1975. The Infants' Custody and Settlements Act 1956 is therefore redundant. The repeal of this Act will simplify and clarify the position of the law. There is no justification for having unused and superseded laws on our statute books. Any orders made under the Infants' Custody and Settlements Act that remain in force will remain effectual and can be given status under the Family Law Act by a simple registration process. By repealing this and other unnecessary and unused legislation we will be making progress towards a simplified and more accessible legal system and meeting the contemporary needs of the ACT community. Mr Speaker, I commend this Bill to the Assembly and present the explanatory memorandum.

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

## **GOVERNMENT'S PRIORITIES AND AUTUMN LEGISLATION PROGRAM Ministerial Statement and Papers**

Debate resumed from 4 May 1995, on motion by **Mrs Carnell**:

That the Assembly takes note of the papers.

**MS HORODNY** (10.34): Mr Speaker, the Greens are pleased that the Government intends to provide a three-year budget strategy. We hope that it will provide the basis for a more focused and educated debate in the community about how we wish to reach the goals we cannot get to under a one-year program. Government does need to think beyond three years in planning for the ACT, particularly where benefits will be reaped from programs or initiatives over a longer timeframe. Initiatives in energy efficiency and public transport are examples of this. Mr Speaker, the legislative program which the Government has presented promises that we are certain to have a vigorous debate in the Assembly over the coming months. I can assure you that the Greens look forward to being part of that debate.

Mr Speaker, the Greens hope that the Liberals' commitment to small business during the election campaign translates into real action. We hope that the very successful small business incubators currently operating in Kingston and Downer will be extended to Tuggeranong and Belconnen. Kippax, for example, could be the site for a small business incubator, which would do much for revitalising the Kippax shopping centre. The Greens support removing unnecessary red tape and administrative burdens on business. However, regulation is not necessarily a bad thing for business.

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If the Government were to have stricter environmental policy requirements for purchasing and tendering, this could help to provide the economies of scale necessary for local businesses trying to break into new markets. The same could be extended to environmental audits in the private sector.

The Chief Minister proposes that the Kingston foreshore should become a world-class arts and cultural precinct. Mr Speaker, no plans or preparations for plans for this site should take place before the current inquiry into the issues related to the Kingston-Acton land swap has been completed. It is impossible to assess the viability of any plans for Kingston before contamination of the land has been fully addressed and the community has been fully and extensively consulted. The Greens will vigorously oppose any further action on Acton and Kingston before the Planning and Environment Committee brings down its report. We will do all in our power to ensure that the committee's work is not pre-empted on any issue. Further to this, we question the Government's commitment to an international competition for the site. Surely it would be in the economic interests of the ACT if the development could be made primarily using local talent and resources.

The Kingston-Acton land swap is not the only planning issue which this Assembly will consider. For example, it is imperative that the Government work with the community to ensure that both the amenity and the environmental integrity of important areas like Lake Ginninderra and the Tuggeranong Homestead are maintained. We are pleased that the Government is showing some support for the arts in the community. However, the arts are more than just tourism and big dollars. There is certainly a place for excellence in the arts, as there is in sport; but there is a real need for cultural facilities to be much more widely accessible, particularly in the outer areas of Canberra.

The Council on the Ageing and other community service groups have repeatedly supported the importance of maintaining public transport services. There are strong environmental and social reasons for ensuring that Canberra has a strong and effective public transport system. These are benefits which cannot be quantified in financial terms but which are very real. This is a basic access and equity issue. With this city's great distances, people in Canberra are more dependent on the car than are residents of other cities. We must plan for the future. As the Chief Minister pointed out, many of us are lucky to have an enviable quality of life. As she would have recognised when she attended the opening of the Smith Family's appeal last week, we are not all so fortunate. Corporatisation may be something that brings benefit to the community in some circumstances. If the corporatisation of ACTION is to get the support of the Greens, we will need a fundamental assurance that those services which do not primarily service the commuters going to and from work - they are the most commercially attractive ones - will continue to be provided for the benefit of the wider community.

Mr Speaker, the Greens oppose the Eastern and Western Parkway proposals to serve the transport needs of Gungahlin. These proposals will have a significant impact on treasured institutions such as the Botanic Gardens. We believe that the need for these roads can be alleviated in large part through the provision of good public transport. The development of an international airport for Canberra makes no sense. Canberra is well served through

Sydney and Melbourne. Access to international air services can be facilitated through the provision of fast train services. A fast train service will give residents of Canberra better access to international air terminals than many people living in Sydney and Melbourne have.

The Greens are supportive of community initiatives that seek to involve residents, business and community groups in building a better Canberra. Initiatives such as that proposed by the residents of Childers and Kingsley Streets for an ecological village, which would combine residential and community facilities in that area, could be of great value to the city as well as being a significant tourist attraction. The Greens will support change in this city as long as change includes commitment to ecological sustainability. May I remind those who think primarily and solely in terms of economics that there is no economy without environment.

**MR KAINE (10.41):** Mr Speaker, a week ago the Chief Minister tabled a blueprint for Canberra for the next six years. It is a forward-looking program. It has been set out at this stage only in skeletal form, but it is a program which the Liberal Party intends to implement in all of its detail. It is a program that is long overdue. For six years now, except for the 1½ years when there was an Alliance Government, we have seen a Labor Government procrastinate. It did not attack any of the major, fundamental problems that confronted the Territory when self-government was granted six years ago. The issues are the same today as they were then - money, planning and health. Those issues, which are on the agenda today, are the same issues that were on the agenda when we were granted self-government six years ago. For 4½ of the last six years the Labor Government sat on its hands, talked about doing many things, and did little.

Why are we worrying today about the next budget if the Labor Government has been such a great financial manager for the last six years? The answer is that they were not good financial managers. They did not manage the budget at all. Once a year they sat down and thought, "What can we do in the coming year that will involve the least trouble, that will bring the least acrimony from the community on what the Government is doing and that will cost us the smallest possible effort?". That is what our budgets have been. They crow about the AAA rating that they got from Standard and Poor's, and they put that forward as though it were an endorsement of their financial management. Mr Speaker, that is a furphy. It does nothing of the kind. The Standard and Poor's rating talks about the amount of indebtedness of this community. That is what it refers to.

There is still a high Standard and Poor's rating because of deliberate distortion of our budgetary circumstances from year to year. The former Chief Minister and Treasurer claimed year after year that they were great financial managers. "We kept our borrowing down", she said. How did she keep her borrowing down? She kept her borrowing down by spending every cent of reserve money that we inherited on the day of self-government. In the third budget for the ACT, produced by the Follett Government in 1991-92, we had \$53m in reserve money that was released from the Commonwealth because I asked the then Prime Minister to release it. We had about \$25m in reserves in our own Treasury. In that one year alone that brilliant Chief Minister and Treasurer spent the lot. Then she said, "Aren't we good, because we did not borrow anything?". Mr Speaker, spending your reserve moneys, blowing them in one year, is, in my opinion, financial vandalism.

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That is why in 1995-96 we still have financial problems. We did not have a comprehensive, cohesive, sensible borrowing program over the years of Labor; we had a program of spending the reserves, of depleting the cupboard. The former and first-appointed Auditor-General of the ACT made the comment on one occasion, "Mother Hubbard left the cupboard bare". It was the Auditor-General of the Territory who said that, and he was absolutely right.

So, it is time that this ACT Government picked up the work, which was started under the Alliance Government, to restructure the way the Government does its business, to do away with redundancy, to do away with functions that we need not be performing, to turn our public service into an efficient organisation and to restructure it so that it does what we want it to do and not the functions that were inherited from the Commonwealth six years ago. I ask anybody to tell me: In what significant way did the Labor Party change the nature and the functions of our public service during its terms in office over the last six years? The answer is: Not at all. It took them five years to establish our own public service, and, when they did, they merely set in place what was there already under different legislation. They did not change the structure; they did not review what it was doing; they did not in any way improve its efficiency or its effectiveness; they did not even satisfy themselves that the functions that the public service is performing are the right ones. This is good government? You could have fooled me.

Their mismanagement in terms of the structures of the ACT public service is matched by their inefficiency and their lack of control in terms of our money. We should have effectively transitioned from the 1989 financial set-up to a 1995 set-up where we were standing on our own two feet, knowing what our own revenue base was, knowing what we were going to get from the Commonwealth and living within our means. Are we there? No, we are not. We are not there because of financial mismanagement by successive Labor governments under Chief Minister and Treasurer Rosemary Follett. There is a story, which is factual, that when Rosemary Follett first became Chief Minister and she was being briefed on the first budget she asked the Treasury officials what the brackets around the numbers meant. It is pretty clear that in 1995 she knows no more about financial accounting and budgeting than she did then. Yet she sat here last Thursday and criticised this Government's plans and intentions for the next six years. Mr Speaker, those plans and intentions are clearly to get the budget under control, to live within our means and to provide to the community of Canberra the services that are required at a cost that they can afford. That is what it is about.

For six years, with the exception of the 1½ years when we had an Alliance Government - when we conducted a priorities review to see what needed to be done and when we took an inventory of our assets and liabilities - the Labor Party had not even thought about doing that. We began to restructure the public service. That restructuring was immediately stopped in July 1991, when Rosemary Follett became Chief Minister and Treasurer again. Everything that we had started stopped, and the status quo has remained since then. It is time that we had a government that was prepared to bite the bullet, that was prepared to do the things that need to be done. We have it, Mr Speaker.

We have had it since 18 February 1995. Instead of Labor Party members sitting over there carping, whingeing and criticising, I submit that they should be looking at the things that the Chief Minister has said she intends to do and trying to find some things that they can support. I have not heard one word of support from them. Their entire attack on this program has been based, as it always is, on Labor Party ideology. If it does not fit Labor ideology, it is bad. That seems to be the only view that the Labor Party can take.

During my term as Chief Minister and during my term as Leader of the Opposition, I frequently commented on things that the Labor Party was doing which I agreed were good for the Territory; but I have never heard a member of the present Opposition say that anything that the Alliance Government did, anything that the current Chief Minister did in opposition or anything that she now proposes to do in government has any merit in it - not once. What is wrong with these people? After 4½ years of ineffective government that left the Territory in the same hole as it was in financially in 1989, with a health system that is in chaos, with an education system that is not the best although it costs the most of any system in Australia, with a high-cost, high-taxing government, they cannot see anything wrong. We now have a government and a Chief Minister that intend to change that, to carry on with much of what was started in 1990-91. She has some ideas of her own which will supplement and complement what we started to do in those years. I would like to see the Opposition acknowledge that there is some merit in at least some of those things. They should have a good look and see whether they cannot find something in there that they can support, instead of knocking and whingeing and complaining all the time.

**MR WOOD** (10.51): Mr Speaker, Mr Kaine has asked us to look at the legislation program for the autumn sitting in 1995 to see whether there is something that we can support. I have looked at those matters that pertain most particularly to my interest, and I think I will support all of them, because they were all well under way when I was Minister. We had an interesting state of affairs here for a while. We had to defer the sitting of the first Carnell Government so that they could get their affairs in order and take the full run of things. All those matters in here that I know about were naturally emerging as a result of the previous administration; so I will be quite happy to support them. I will have a more careful look later, but I do not see any problem with them. The problem is that Mr Kaine was talking about a visionary government. Yet, despite the considerable delay in the sitting of this Assembly, I do not think there is much that is new or particularly important in this legislative list that we have been given. It is simply not there. The Liberals want it two ways. They want time to get organised, but I do not see evidence of it.

**MR HUMPHRIES** (Attorney-General) (10.52): Mr Speaker, I must say that it was quite disturbing to see the very large amount of negativism in the response by the Leader of the Opposition to this - - -

**Mr Berry:** She comprehensively did you over; that is why.

**MR HUMPHRIES:** I do not know whom those opposite think they are fooling. Let me quote a few choice phrases used by the Opposition Leader in her response to this - - -

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**Mr Kaine:** There are not any rude words in this, are there, Mr Humphries?

**MR HUMPHRIES:** There are not any rude words, but I think they are words that most children would be embarrassed to throw into an essay lest they be accused of fantasising. She said things like “Mrs Carnell and her Government are hell-bent on reducing every decision to a dollar value”; we will be living in a “negative, Dickensian world”; “a picture dominated by the grey, soulless philosophies of those other icons so revered by the Liberals - Ronald Reagan, Jim Bolger and Margaret Thatcher”. They are there on every page. She talked about good workers and bad workers. I think the gem was, “... we will not sit idly by while this Government sets about destroying the very fabric of life for so many of its citizens”.

For goodness sake, Mr Speaker! What those words demonstrate more than anything else is that the Labor Party is utterly unable to understand why it was rejected at the election a few short weeks ago. They are utterly unable to understand what it was about their performance over the last 3½ years that led the people of the ACT to say, “We have had enough. We want someone who is going to take some decisions in this Territory which will give the Territory a strong, secure financial outlook”. The people of the Territory were saying very clearly that nipping and tucking, fiddling at the edges, and doing a little bit of the classic appearing to make decisions but not actually making any decisions of substance were no longer good enough and that they required some action on the problems facing the Territory, particularly in areas like public transport and health.

In the area of health, for example, as we know, the Territory has, for a number of years, been beset by continuing problems with the capacity of government to control the health budget. There have been continuing problems in this area. Mr Berry knows it; Mr Connolly knows it; I know it; and it is pretty clear to anybody observing that process that we need to comprehensively rethink the way in which we manage not just health budgets but the entire health system that this Territory of ours operates under. We clearly need to think about the incentives and dynamic forces within our health system. We need to think about the priorities that we give to services offered in the system. We need to think about integration between primary care and secondary care. We need to make sure that we are dealing with a system that delivers what the patients of this system actually need. I think it is true to say - and I accept some blame for this - that in the past we have not had a system which has focused properly on those things. We have not had a system which has properly understood that we need to drive the output of the system by the number of people who are treated, by the number of occasions of care we offer, by the number of resources we put into the sharp end of our health and hospital system.

As the Chief Minister demonstrated by her comments last week, I think there is a great need for us to rethink the way in which the system works. I believe that that is what is on offer from this Government. It appears that what we will see from the Opposition is a process of continuous and unthinking opposition to all these changes. We saw that with the two motions that were brought forward onto the floor of the Assembly last week, dealing with betterment and with leasehold administration, and we saw it in the remarks of the Leader of the Opposition last Thursday - complete unthinking, knee-jerk opposition to everything which was proposed by the Chief Minister in her statement last week. That, I think, is a great pity, Mr Speaker.

We do not pretend that this task is going to be easy, but we do believe that it is important for us to start to grapple with that issue at the first opportunity. That is why we proposed an early decision on things like the corporatisation of bodies such as ACTEW and ACTION - an examination of the basis on which we provide services in the Territory, a need to make the decisions that will truly give us the capacity to say to the people of the Territory, "Yes, we have considered how to offer a long-term, secure financial outlook for the people in this Territory". It was always the myth perpetuated by those opposite that they could achieve that by fiddling at the edges; that the things, as we inherited them from the Commonwealth, were quite satisfactory; that we needed to adjust a bit here; that a 2 per cent reduction every year for a few years would do the job. That kind of unthinking, at-the-margins adjustment to the way ACT did its business, I think, is thoroughly discredited and needs to be rejected in favour of a comprehensive approach towards planning our future. And that, I think, Mr Speaker, is very much what the paper by the Chief Minister was. It was a document planning and setting out the parameters of the planning of the ACT's future.

I want to address a few points made by Ms Horodny on behalf of the Greens. She raised some points about the necessity for us to make decisions in the framework of having an environmentally sustainable future for the Territory and having decisions which are taken in that context. I believe that that is a very important consideration. We are facing a number of important challenges in this area in the next three years. For example, we have a challenge, which has been there for some time, of course, but which is quite critical at the moment, concerning the way in which we plan the expansion of our city in the future - to what extent do we invade surrounding greenfields in the vicinity of Canberra; to what extent do we build up a higher density of city in the existing established areas of Canberra. Those are critical issues, the management of which will in many ways define our success as an Assembly over the next three years. I believe that it is important for us to acknowledge that we need to refine our system of planning and planning decisions to take into account that, in many key respects, the present system has lost the confidence of the people of Canberra. That is one of the issues that were addressed in the recent Assembly election. It is one of the issues that now have to be faced up to by all of us in this Assembly. I believe that the Government will have to take the lead in this area to define a better way of managing those critical questions of planning.

**Mr Berry:** You started out well with Kingston and Acton. Great job!

**MR HUMPHRIES:** I am sorry that Mr Berry does not understand how important it is that we work together on that process. This is a minority government, as he and we well know.

**Mr Berry:** Go down in your own sinking ship. Do not ask us to go with you.

**MR HUMPHRIES:** It is most unfortunate that Mr Berry takes that attitude of saying, "Do not ask us to help you out". I am not asking Mr Berry to help me or any of my colleagues; I am asking Mr Berry to acknowledge that there is a lack of confidence by many citizens of this Territory in the way these things have been done in the past.

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To pass legislation, for example, that will effect a better planning system in the Territory will be a difficult task and will require the cooperation and support of members on both sides of this chamber to achieve those goals. I do not pretend that we have a perfect set of answers to the problems of Canberra's planning regime.

**Mr Moore:** No; but we will help you.

**MR HUMPHRIES:** Mr Moore probably does, but others of us here do not. I believe that it is important for us to work together in the coming few months to decide how we will deal with that. For example, I have no personal commitment to either building up a greater density of Canberra's urban structure or spreading it at the edges. I have no particular views about which of those two should happen. I know that it is in many ways politically easier to expand at the edges than it is to build up our existing densities. That is an issue that we are going to have to address quite early in the Government's life. But, Mr Speaker, by the same token, I do not propose to make a decision and come into the Assembly and say, "Right; we are having 50 : 50 urban infill and greenfields sites. That is the decision, and you guys can live with it". That was the approach taken by the previous Government. That was the approach which clearly, in the eyes of the majority of Canberrans, failed, and failed utterly, at the recent election. I do not want to be in that position, because I want to work through solutions to these problems which the majority of the community can support and which, I hope, a majority of members of this place can also support.

I know that members opposite regard the rhetoric, if you like, of Mrs Carnell's statement as just that - rhetoric. I assure you that that is not the case. We do believe that people's lack of confidence in the system of government in the ACT can be partly overcome by a willingness to demonstrate that members of this place can work together in the interests of solving Canberra's long-term and fairly intractable problems. Indeed, it is only by working together in that way that we can actually produce lasting solutions. The invitation remains open to all members of the Assembly to work in that way. I can assure members that I will be doing my best, as Minister for Planning and other things in this Government, to achieve that kind of outcome.

**MR CONNOLLY (11.02):** Mr Speaker, since the Government has really no business yet before the Assembly and we are filling out with this debate, I thought that I would show a spirit of cooperation and help the Government by filling out some of the time and also perhaps by giving new members of the Assembly instructions on some debating techniques which we have seen from Mr Humphries over the years and which we are clearly seeing again. In the standard form of debating at high school, university and competitive debating level, a very good technique is to set up what is known as - excuse the sexist language - the straw man and then knock it over. You portray your opposition as something they are not, and then you give convincing arguments as to why the something that they are not is a bad thing.

We have just seen Mr Humphries do that remarkably well in two respects. Firstly, he said that the former Government was driven by ideology, that it had ideology first and rational argument second, and that is a bad thing. That is a bad thing; but I would ask members to look at the issue of, say, corporatisation, on which we have heard much rhetoric, and look at our record versus their record. Our record was that we looked at the merits

of every case. Under our Government we allowed the corporatisation of a body like Totalcare to proceed because it was a trading body competing out there in a private sector environment. We allowed that to proceed, and it proceeded successfully. We said, for a body that was an electricity retailer, "We will not go ahead with corporatisation. We will focus on reform". We said, for a body like ACTION, which is a public transport provider operating in a public sector environment, "We will not go ahead with corporatisation. We will go ahead with reform". We looked at it on the merits. They have gone in saying, "Corporatisation is good; the private sector is good; the public sector is bad; a private sector model must inherently be better than a public sector model". Certainly, it was the experience of the 1980s, was it not, that the private sector model was definitely the way to go about things? The 1980s, when the private sector was given its head and governments often followed, proved to be one of the greatest decades of greed, corruption and collapse that we have ever seen. This model, this ideology, that the corporate form is intrinsically better than the statutory authority form, is straight-out ideologically-driven politics. Then, Mr Humphries, your straw man comes back to haunt you, because the statements of your colleagues have displayed that blind ideological commitment - that it must be better to be in a corporate form than a statutory authority form. So, there is the first straw person knocked out.

The second straw person I want to address is that the Labor Government never did anything about reforming the ACT public sector enterprise; that it was a government that merely tinkered. Again, let us use the example of ACTION, which you are going to corporatise. When I had my first budget responsibility for ACTION, the subsidy was about \$57m, and the projection was that the subsidy would be heading up well above \$60m, to \$70m-plus, if the status quo that we inherited from the Alliance Government was maintained. Historically, the largest subsidy that ACTION ever received was in the Alliance Government's budget. We embarked on a very dramatic process of reform of ACTION, and there was a whole lot of industrial action over that. There was quite a blue for a period. As a result, in last year's budget the ACTION subsidy was brought in at slightly under \$40m - a saving in the order of \$20m being achieved through very dramatic reform, and that is a saving off a base of \$57m to \$60m. So, we have achieved a 20 to 30 per cent saving in efficiencies of a public sector enterprise without tinkering with the corporate form.

Mr Whitecross will also be addressing this subject. We can look at what has happened over months and months. The experience overseas where you tinker with a corporate form is that you just increase your costs and reduce your level of service. What Labor did was not to be ideologically driven about corporate form. That is your position, not ours. We addressed the hard issues of reform of the public sector - the other issue that needs to be addressed. So, there is Mr Humphries rewriting history, in almost Orwellian proportions, to try to show that the Labor Government was something that was bad because it was driven by ideology and it failed to address the fundamental, underlying issues of ACT economic reform. In both areas, we did address those hard issues.

There is another issue that needs to be addressed. Mr Humphries said that all these wonderful things are going to happen about health. What is going to happen about health? That is the problem. Again we have the rewriting of history. We get a lecture that oppositions should not be carping and whingeing. Mr Speaker, if one wanted a textbook on carping and whingeing opposition tactics, the gold medal with bar would

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go to Mrs Carnell for her performance on health in the last three years. She carped and she whinged, and very successfully carped and whinged, and she certainly created a great deal of public dissatisfaction about the health system. She is still doing the same thing. That is the remarkable thing. She seems to think that she is still Opposition Leader. I was amazed to read in the paper on Saturday that Mrs Carnell was once again attacking the health system. I know why she is doing it, and members should know why she is doing it, too. In opposition, she played the cheap and easy political tactic of the carp and the whinge, and she created the impression that tucked away in the knapsack was the magic wand that, once you had a Liberal government, everything would be wonderful with health. She created those high expectations with simplistic sloganeering, carping and whingeing opposition tactics.

Now she is in the hot seat; she is the Government; she has the ability to deliver; and she is realising just how difficult it is. So, a very good political tactic, again straight out of a *Yes, Minister* instruction manual, is to try to deflate expectations by continuing to spew out “shock, horror!” stories about ACT Health.

**Mrs Carnell:** No; just statistics.

**MR CONNOLLY:** Statistics. Of course, the most worrying thing for her was that there was a marked drop in the level at which we were having fast throughput of category one patients over a one-month period. What is going on here? There is a Liberal government in office. Things should be changing. Things should be getting better. But the figures show that in that one month - admittedly, it is only one month, and we are not saying that everything is collapsing because there is a Liberal government - things were getting worse. What is Mrs Carnell's response to that? It is, “Oh, the former Labor Government must have fudged the figures”. That is a very dishonourable statement and a very untrue statement. We certainly did not fudge the figures. Those figures were produced by the same public servants that produce them to Mrs Carnell.

We would be very interested to see what your agenda is about reform of health. We had a clear agenda about reform of health. Our agenda for reform of health was to proceed with implementing the Andersen report. Again, Mrs Carnell, in what is becoming a quite familiar tactic, came into the house last week and said some things that were not at all accurate, when she claimed that the Labor Government had done nothing to implement the Andersen report.

**Mr Humphries:** Like slashing \$30m from health? Is that inaccurate?

**MR CONNOLLY:** That is in your published Liberal Party budget.

**Mr Humphries:** That was your inaccurate statement, Mr Connolly.

**MR CONNOLLY:** The Liberal Party claimed that they would reduce the health budget by \$30m. It was in your election documents.

**Mr Humphries:** But you were going to do it too. You just were not prepared to say so.

**MR CONNOLLY:** No, we were not, Mr Humphries. What we said was that we would seek the efficiencies and spend the savings on enhancements. The Andersen report set out quite specific recommendations for what should be done in year one. If Mrs Carnell checks, she will find that what they said should be done in year one was done in year one. Again, we have sloganeering: "Casemix, casemix". Mrs Carnell, I look forward to the day when you take the casemix wand out of your backpack, wave it at the hospital and everything is perfect, because you know, and your officials know, that it is nonsense. You know, and your officials know, that casemix is a very useful accounting tool that will allow you to have a better feel for what is going on in the hospital. It will be a very useful management and accounting tool.

You will have that at your disposal because our Government implemented it; because Wayne Berry, when he was Health Minister, instead of embarking on an easy spending program and saying, "Let us throw a few million dollars at something that will get a good headline", made the decision, about three years ago, to spend many millions of dollars on putting in financial control systems. You never get a good media opportunity out of putting in a financial management system. But Wayne did that, as Health Minister, and I proceeded with that process, and we got it up and running in July of last year. It still has a period to bed in. No doubt, you have briefings that are some months fresher than when I had them; but the basis of using casemix as a financial control mechanism is there. To fund on the basis of casemix was not what Andersen said should be done. They said that we should use the techniques. The Victorian model is just political nonsense. You know it, and your officials know it. But, again, we hear your slogan: "When we have casemix, everything will be fine". Well, Mrs Carnell, you will be put to the proof of all of this, because you are the Government and you will have to deliver.

I am disturbed that, on some of the key issues of health, there is a massive lack of information. We do not know what settlement you reached with Canberra's doctors, although we did read in the paper about the president of the AMA saying that it is appropriate to get down in the gutter - his words - when you are struggling with the government over doctors' salaries. Another well-known Canberra surgeon was quoted in the *Canberra Times* as saying, "I have been through this struggle four times in the last 20 years. Governments come and go, but we stay on forever, and we keep winning". So, we are very sceptical of your claimed settlement of the doctors dispute. We have seen no documents. We have seen no financial reconciliation. All we have seen is the rhetoric. We may support aspects of your program when we see the details. To date, all we have seen is rhetoric and ideology.

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**MR HIRD** (11.12): Mr Speaker, the Chief Minister said in her address that the ad hoc approach to budgeting by the Labor Government over the last three years must stop. The Follett Labor Government went on a spending spree, costing millions of dollars. They approved all sorts of works, seven months out from an election.

**Mr Berry:** List them.

**MR HIRD:** I am about to, Mr Berry. For instance, in public transport, \$750,000 was committed for further studies into the light rail project, of which \$250,000 has been spent. For the police, there was \$750,000 for the running costs of the Winchester Centre and the fit-out of Civic police station, which was not allowed for in their budget. For the courts, it is estimated that in 1994-95 the Eastman trial - which has been around for some time - will cost around \$3.5m. There was no allowance for that in their budget. The health budget made no allowance for the cost of running a clinical school at Woden Valley Hospital - \$2.5m. There they are; they are the good operators! Then for the bone marrow transplant service there was no money. It just shows that they could not manage.

It is no wonder that, during the election, small business operators in this Territory had to embark on the SOS campaign - the save our shops campaign. It was because these people were going to close down the small shops. I say to Ms Horodny that they were about closing down small neighbourhood shops. I was pleased to hear Ms Horodny address the matter of small business. Under the Carnell Government, it will be given priority. The Chief Minister indicated that.

**Mr Berry:** Priority for what? What are you going to give them?

**MR HIRD:** Priority. In the next three years they will not need to run an SOS campaign. They know that this Government is about management; they know that this Government is responsible; and they know that this Government is open. Those are facts. It might hurt you, Mr Berry, and your colleagues, but you have professionals sitting opposite you here. You had 4½ years, and you deliberately sat on your hands and did absolutely nothing, with the exception of a couple of small things. I will bet on that. There were a couple of small things that you did, but they cost us money. I know one person who will be sending Mr Berry a Christmas card, and his Christian name is Bob. He has 380,000 reasons. But that was yesterday. Today you have a professional team. Even though it is a minority government, it is a professional team. We look forward to the challenge with some enthusiasm. We will be trying to work with the Labor Party - with everyone in this chamber - to make it a positive government that the people of this Territory can be proud of.

**Mr Berry:** Close the doors.

**MR HIRD:** All you can say is, "Close the doors". You have closed the doors for years. Seeing that you raised the matter, I will say that, if you had your way with Acton Peninsula, there would be 500 townhouses there. That is a fact. We have made a decision. You people were not capable of making that decision, and that is another fact. I can say with all honesty that this Government is enthusiastic about getting on with the job, getting things done and making it a responsible Territory and with responsible elected representatives.

**MR MOORE** (11.17): Mr Speaker, in responding to the Government's priorities for Canberra and the legislation program I think it is important that we present the picture as we understand it to be. The electorate made it very clear that it was dissatisfied with the results of the previous three years. A 20 per cent swing, in anybody's terms - in electoral terms and in political terms - is hardly something to be proud of. The people of Canberra wanted to see a change. They want to see things done differently. They do not want to see more of the same. What we can see, in some parts of the Chief Minister's ministerial statement at least, is the suggestion of doing some things differently.

I would like to start by dealing with the issue of health. I have a copy of a letter written to the Chief Minister by the TLC, in which the TLC suggests that, instead of setting up a consultancy into health, the Chief Minister should continue to allow management and the TLC to work together in order to seek reform. Whilst that may have seemed to be a very sensible way of dealing with things over the last three years, it clearly did not work. My response to the TLC, which was kind enough to send me a copy of that letter, was to say exactly that. I said in my letter that, while I encourage the Chief Minister, where possible, to work with the unions and with the TLC, it is important for her to grasp the nettle and take some different approaches.

I was delighted to listen to Mr Connolly's approach, as far as it went. Mrs Carnell's approach is very different from that of Mr Connolly. During the last Assembly, Mrs Carnell would complain about problems with hospital bed numbers, patient waiting lists and so forth, and Mr Connolly would try to respond. Now we have a situation where the Chief Minister complains about the patient waiting lists and Mr Connolly tries to respond. It seems to me that very few of us would have missed the irony of that situation. On Saturday I was walking through Woden Valley Hospital, going to visit somebody, and I heard a couple of people commenting on a *Canberra Times* banner. As most of us would be aware, that *Canberra Times* banner said something like "Chief Minister warns of more deaths" or "more possible deaths". I do not remember the exact wording, but it gave that impression. I heard a woman saying to the man she was with, "That is a great headline to have in a hospital!". So, I think that, whilst Mrs Carnell may get away with that for a month or so more, she will not get away with it in the next little while.

I note on page 9 of her statement that the Chief Minister has established a new Department of Health and Community Care, with responsibility for health, ageing and disability services all coming under her control. I think that approach to ageing and disability services augurs quite well. It takes into account the fact that health is not just about hospitals. Health is really about a healthier society. In the broadest sense of the term, a healthier society is about ensuring that people have equal access and are empowered to make their own decisions. Perhaps that fits in with Mrs Carnell's concept of a city-style government. I will try to come back to that, if I have time.

We were also interested to hear Mrs Carnell say that, to meet her challenge about efficiencies, her Government "will be innovative in developing and implementing strategies to increase efficiency". She went on to explain that. She said:

Already I have asked the department to develop a program that will provide for at least 1,000 additional admissions in 1995-96.

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To say that she has already asked the department hardly strikes me as being innovative in developing new strategies. Asking the department is exactly what not only the previous two Ministers but probably a range of Ministers have been doing for the past six years. I think that she is going to have to be much more innovative than that if she is going to achieve something. I would like to see fleshed out by the Chief Minister the idea that her Government "will also concentrate on the forgotten areas of mental health and services for people with disabilities". There is no doubt that mental health is an area that has been sadly neglected over the past four or five years; in fact, over the past decade or more. I must congratulate the Chief Minister on recognising that and on identifying that that is an area that does require further effort.

Mr Speaker, on crime prevention and safety, we noticed in the ridiculous election debate in New South Wales that the reaction of both parties was to try to see who could be harder on crime. Ironically, neither of them seemed to take advice from the department there, from the researchers into crime or from bodies such as the Australian Institute of Criminology, who have a tremendous amount of literature to show that just increasing penalties has no impact whatsoever on crime and, similarly, that just increasing funding to police forces has no impact on crime. What does have an impact on crime is community policing. I have to say there, Mr Speaker, that congratulations are in order for the efforts of Mr Connolly in this area over the last three or four years and what they have achieved. I would encourage the Attorney-General to continue with community policing.

**Mr Connolly:** And we will support it.

**MR MOORE:** Mr Connolly interjects that it was done with the support of the Liberal Party - and, indeed, appropriately so. We have to say that it has been done with tremendous responsiveness from the police force itself. I think the general change in culture to community policing - to working with people instead of being in conflict situations - has been good not only for the community but also for the police themselves and for their reputation.

Mr Speaker, allow me to move on to planning. In his speech a few minutes ago, Gary Humphries said that he did not have the perfect answers to planning situations and that perhaps Michael Moore did. If I look back over the last six years that I have been in this Assembly, I do not feel embarrassed about anything that I have said in terms of planning, and there is nothing that I feel requires changing. There is a great challenge in front of us to set out a strategic plan - which is what I have been saying for four years - and to ensure that when we make changes to the Territory Plan they are within that strategy, so that there is an overriding guideline for people, which could also form the basis for any appeal. At the moment, we have a land use plan. It is inadequate. It has been shown to be inadequate. Fiddling with it at the edges will not help. I am pleased to say, Mr Speaker, that I look forward to working with Mr Humphries to see what we can do in a positive way to ensure that there is a strategic plan for Canberra. Certainly, early discussions on this matter within the Planning and Environment Committee would indicate that members of that committee as well are keen to see what they can do to develop a strategic plan for the Territory and to look at the inadequacy of our current legislation.

In education, I think there are a number of great challenges. One thing that we are aware of is that we have an increasingly experienced teaching force. Because we have an increasingly experienced teaching force, Mr Speaker, we have an increase in expenditure of over \$1m every year. My understanding is that that will go on for basically a decade, until teachers reach the optimum level, at which time the payment of teachers' increments will no longer require an increase in the budget. But there is an increase in spending of over \$1m a year. That is simply part of our costs. If we are going to maintain education costs, then that has to be accounted for in terms of the budget situation. That is not to mention any funding matters that deal with new enterprise bargaining and so forth. I think there is a real challenge for a party that has said that it will support funding in real terms for education because, unlike most areas, education is almost entirely about service delivery.

The administration of education has taken cut after cut over the last five or six years. Indeed, those cuts have been appropriate in terms of the administration. But it seems to me from my observations that they run a fairly tight ship at this stage, and I would argue very strongly that not only ought the Education Department not to be cut but service delivery within education ought to receive no further cuts. We have also seen some change in terms of the Children's and Youth Services Bureau. I believe that congratulations are in order for the establishment of that bureau and bringing it within the education area, under that same Minister. I believe that they are two areas that will work very well together and that many of the problems that we seek to resolve should be resolved in the initial instance. (*Extension of time granted*) I thank members. I believe, Mr Speaker, that this is actually the first time we have used that new standing order, and much more convenient it is, too.

**Mr Berry:** Put it on your CV.

**MR MOORE:** Thank you, Mr Berry. I shall add it to my CV, no doubt. It seems to me that, when we are working with children, we must be looking for preventive measures rather than trying to patch things up when problems occur. I think that structure will make that situation somewhat easier.

On urban management, Mr Speaker, I notice that the Chief Minister said:

We will be looking at a long-term plan for the maintenance and expansion of our \$3.4 billion road asset and must, for the first time, register \$1.2 billion of stormwater assets.

That is important, because around the ACT there is a growing recognition that our infrastructure is actually going downhill. It seems to me that there are now more broken footpaths and more problems with such things as paths. Last night, I was riding my bicycle back from the university, around the lake. It is a beautiful ride. It is a great joy to use the sort of infrastructure we have around Canberra. But I must say that the bicycle path behind the boathouse and around the university really is in need of repair. I wonder how many other bicycle paths fit into the same category, where tree roots have damaged them. I think perhaps there is some danger, in terms of the calibre of what are very important parts of our infrastructure and very important parts of recognising our environment.

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Mr Speaker, that leads me to the issue of the environment. I have to be careful not to anticipate anything on the notice paper. One of the great challenges of environmental protection at the moment is to ensure that we do not get an increase in noise pollution. The matter that is on the notice paper has to do with the number of exemptions. No doubt that will be debated later this week. Mr Speaker, there is a whole range of challenges in terms of environmental protection which I hope to draw to the Minister's attention personally and also to work on in the Planning and Environment Committee. We have agreed to start with the issue of contaminated sites. We are looking particularly at the sheep dip sites around Canberra. I am sure that the committee's inquiry will also look at the general issue of contamination. Just last week we were fortunate enough to hear from one of the world's leading academics, a professor from the University of Toronto, on some of the issues associated with contaminated sites and contaminants moving through underground water.

There are two final points that I would like to make, Mr Speaker. The first one is about city-style government. City-style government, or council-style government, I think, has just about run its course. We hear debates about just what is council-style government. I said this in the last Assembly, and I will say it again: I do not mind whether I am a member of a Legislative Assembly, an MLA, or a member of a Legislative Council, an MLC; but I can understand why some members would want to be MLCs, because throughout Australia MLCs always get "Honourable" written before their names. So, if we do go to a council, I suppose that there are what some people would perceive as advantages in that. Mr Speaker, you would then be known as the Honourable Mr Speaker, and we would have the Honourable Mr Connolly, the Honourable Mr Stefaniak and so on. That might just have the opposite effect to that which some people intended when they started this.

Similarly, Mr Speaker, I think the whole debate about consultation is getting quite out of hand. It is time that we actually rethought what is meant by consultation. Does it mean that, before the Chief Minister wipes her nose, she has to go and check with somebody? Does it mean that there is going to be no such thing as a decisive action? Does it mean that there is going to be an appropriate amount of consultation and then a decision taken, even though it is not going to suit some people? This is an issue that always has some difficulties.

Finally, Mr Speaker, the Chief Minister tabled her copy of the legislation program for this sitting. She went on to say:

I do want to point out that this Government intends to be remembered not for the amount of legislation that is introduced but for the sheer volume of obsolete laws we remove.

So, I went to the legislation program for the autumn sittings to see which laws they are going to remove. I grant that we have one tabled this morning - the Infants' Custody and Settlements (Repeal) Bill. So, step one has been taken by Mr Humphries. Congratulations! But if I go through the legislation program - first priority, second priority, third priority - I cannot find a single piece of legislation that the Government wants to remove. So, whilst it sounds good and we hear people talking a lot and saying that they are going to remove legislation, we would like to see some action.

**MR SPEAKER:** Order! Your time has expired, Mr Moore.

**MR DE DOMENICO** (Minister for Urban Services) (11.34): Mr Speaker, I am delighted to support Mrs Carnell's program, because I think it contains some very valuable things and it displays commonsense, fairness, reasonableness and responsibility. From what I heard especially from Ms Horodny, Mr Moore, Mr Kaine and Mr Hird, their responses to the Chief Minister's speech also sounded very fair, commonsense, reasonable and responsible. It is a pity that I cannot say that about some of the things said by members opposite. I will start with Mr Moore's comments. Sometimes we might not all agree with Mr Moore, but he usually comes up with some very interesting things to say. I agree with Mr Moore that, when you look through the notice paper, you do not see many of the repeal Bills that the Chief Minister talked about - - -

**Mr Moore:** I said that I did not see any - not "many".

**MR DE DOMENICO:** Well, any. I do not want to pre-empt what people might say in the debate on the next item on the agenda; but there is a task force, which the Government announced just last week, that is going to be looking into that very area. It will be making recommendations to the Government by the end of September this year. Hopefully, Mr Moore, you will find that there will be substantially more of those things on the notice paper following the recommendations of that task force.

I agree also with Mr Moore's comments on consultation. I think that the way this Government will operate will be that it will take advice from the community and from members of this Assembly and it will make a decision, knowing that, no matter what decision any governments make, they are never going to be able to please everybody. One thing that I noticed in the last period of the Follett Labor Government was that any attempt to so do backfired very strongly. Governments are elected to make decisions. This Government will make those decisions, and it will bring the majority of members of this Assembly and the community with it when it does make those decisions.

Mr Moore talked about council-style government. I, for one, do not envisage being called "the Right Honourable" or "the Honourable" or anything else; but, like Mr Moore, I do not really care what people call me, as long as it is not late for breakfast, perhaps. Mr Moore also talked about areas of planning. I think Mr Humphries adequately talked about that. I agree with what Mr Moore said about the important area of urban management. I think it is about time that we started to really look at our roads, our stormwater drains and some of our infrastructure, because they are a very valuable

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asset to this community, as Mr Moore suggested. We need to look at ways in which we can maintain, first of all, and then, if possible, improve those valuable assets. There is an environmental aspect to that as well. I agree with Mr Moore that we are blessed in having assets such as our bicycle paths, roads and infrastructure, and we really should be looking after them. I think we need to address that in a budget context as well.

The most pleasing comment that I heard Mr Moore make - this filtered through all his remarks - was about working with people instead of being in conflict. I think that Mr Moore and other members on the cross benches will find that that is what this Government is all about. I note that Mr Berry laughs. Well may he laugh, because, unlike the previous Labor Government, we are pragmatic enough to realise that we do need the support of more than just the members of our particular political party. That being the case, I can assure Mr Berry and others that this Government will be working very closely with the committees, with members of this Assembly and with the community, and we will make those decisions after we consult, not before we consult. That is the difference.

**Mr Berry:** Acton-Kingston is a good example.

**MR DE DOMENICO:** I will get onto that in a minute. I am glad that you interjected in that way, because I will take the ones that I think are embarrassing to you. Mr Moore also talked about working closely with Mr Humphries. Once again, it was refreshing to hear from the comments made by Mr Moore and Ms Horodny that at least the members on the cross benches are very anxious to work with the Government in a sensible, commonsense way to make sure that we get things done that need to be done.

I was also delighted to hear Ms Horodny in particular talk about light rail. I must admit that there was a lot of work done by the previous Minister, Mr Lamont. We ought to acknowledge the work that Mr Lamont did and even put it on the agenda, because I think that is a good idea. We might not have agreed with the way Mr Lamont did things, but at least he did bring it onto the agenda. I think we need to look at the light rail concept. We need to look at it seriously for Gungahlin, for example. If we do not look at alternative modes of transport, we will be hit with the easy decisions that some people might be inclined to make about increasing our road infrastructure to the stage of not being able to look after it in the future. So, we do need to make those hard decisions; and those decisions will be made, if and when they need to be made, and we will bring the community and the Assembly with us when we do make those decisions. There were a lot of other things that Ms Horodny said that made a lot of sense. She acknowledged the benefit of having a three-year budget. Once again, it is a sensible way of managing any economy into the future - not doing it with the piecemeal, year-to-year, nip-and-tuck approach that was the hallmark of the previous Government.

I should now talk about the contributions made by members opposite. Mr Wood did not say very much. I acknowledge that Mr Wood did say that a lot of the things that are in train were decisions made by the previous Government. In relation to a lot of areas he was right, and we will acknowledge that every time it happens, Mr Wood. You will find

that, time and time again, members of this Government will stand up and give credit where it is due, and if it is due. One would hope also that the Opposition will do the same thing when this Government makes a good decision, and we will be making a number of good decisions because we will be bringing the Assembly with us.

Mr Connolly talked about straw men or straw people or something. It was very interesting because Mr Connolly accused Mr Humphries of using some university debating techniques to build a straw man and then knock him down. I am afraid that it went over my head - that is not difficult, I know, but it went over my head anyway. Mr Connolly was doing exactly what he was accusing Mr Humphries of doing. They are both lawyers, so perhaps it is one of those hazards of studying law.

Mr Connolly's speech really told us what it is all about. Obviously, the Labor Party still cannot accept that on 18 February 1995 the community demanded change. It did not want to go right across and give majority government to the Liberal Party; but there is no doubt whatsoever that the community of the ACT on 18 February, and on 25 March as well, demanded change to the way it was being looked after by the then Government and the then members. That is as plain as day. I know that it is very difficult for some people to accept that; but change is what the community wanted, and change the community will get. It will be sensible change and it will be responsible change. I am sure that the community, for example, would not like us to continue with a Comcare workers compensation scheme just because of some ideological bent if it was costing us millions and millions of dollars more per year - - -

**Mr Berry:** You would know some people who would be prepared to take on the business, would you not?

**MR DE DOMENICO:** Yes - and if this Government and this Assembly were able to come up with an alternative scheme that would give the work force better cover than it has had and cost the community less. To me, there is nothing ideological about that; it just makes good sense. Time and time again, Mr Speaker, you will find that this Government will come up with ideas that we believe make good sense, we will put them forward to the community and to the Assembly, and we will allow this Assembly to make up its own mind. That is one major difference you will find under this Liberal Government from when this other mob opposite were in power.

It is all well and good for people opposite to say that when we were in opposition we used to bleat and moan. As Mr Keating once said, now that we have part of the levers in our hands - because we rely on the cross benches - the difference between this Government and the previous Government is that we will make decisions. All those decisions will be commonsense decisions, and we will talk about things. We will talk about rhetoric as well, but we will talk about things like choice and flexibility. Mr Berry smiles every time I use those two words; he chuckles. But if Mr Berry were to listen to the community he would realise that what the community also wants is choice and flexibility and commonsense. It wants its representatives to be able to change their minds, for example, if they see a commonsense argument put to them. It wants its representatives to take heed of what it has to say.

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A lot of the time we will be making decisions that will not please everybody in the community; there is no doubt about that. A lot of the time we will not be agreeing with one another across the floor of the house; there is no doubt about that either, because that is the way human nature is. But as long as we can do it without conflict, as much as we can, as long as we can do it together, I am sure that we are going to get the right decision in the end. So, you will see, Mr Speaker, a lot of difference between the way the former Government operated and the way this Government will operate.

It would be remiss of me if I did not have something to say on Mr Connolly's remarks about corporatisation. Mr Connolly knows that when the Labor Party took office, following the Alliance Government, he and other members of the Labor Party were directed not by straw men but by real people behind them - the ideological loonies - who said to them, "You shall not corporatise anything else. Totalcare is all you will get, no more". It was not the members of this Assembly who decided what the Government should do or should not do; it was people outside this elected body. This will not happen under a Liberal administration because on corporatisation, for example, we are following suit after such luminaries of the Right as Bob Carr, Paul Keating, Wayne Goss and others. We are doing it because, once again, it makes a lot of sense. Mrs Carnell's speech outlined what a commonsense approach this Government is going to take. It did that because this Government is going to be a fair, reasonable and responsible government.

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

**MR BERRY (11.45):** One has to correct the historical perspective when speaking on these issues, as history has played such a major part in the debate. I was very interested to hear Mr Kaine trumpeting the successes of the Alliance Government. Mr Humphries is not here now, but he was an important part of the Alliance Government. Well, he was a part of the Alliance Government; I am not sure that he was important. We remember what occurred in those days. We remember Mr Humphries getting stuck into the schools and closing the schools down. That was an ideological bent, if ever I saw one. We remember Mr Humphries in his attacks on the hospital system, closing down the hospital. Mr Humphries was the Health Minister. He was in charge and made the decision to close down the hospital system. Mrs Carnell, who was appointed to the hospital board, helped him close down the hospital system. As a follow-on to the Alliance Government, we have the complaints of the Liberals opposite about the health system, which they had, in effect, undermined with their tragic actions. They were issues that had to be dealt with, and I think we are still paying the price for some of the actions of the Liberals in that Alliance Government. In fact, I am certain that we are. The education system was dealt a traumatic blow in the period of the Alliance Government, and I think they are only just recovering from that.

When it comes to the ideology of this so-called open and consultative Government, we have only to look at recent history to see how untrue their election claims and their public claims are. A moment ago we heard members opposite claiming that they are open and consultative, that they will listen to people and take notice. The most important decision that has been made in recent times has been the negotiations with the Federal Government about financial assistance for the Territory - in my view, botched. We have seen the negotiations with the Federal Government about a land swap botched, in my view.

At the end of the day, we get less money for the Territory because of this botched deal on financial assistance and we end up with a high cost to the Territory's coffers for the botched land swap. We end up with a situation where nobody has any confidence in the early decisions of this Government.

We have a government that does not want to come out in front of the people. Mr Humphries said here in a debate last week that he did not think open government meant the people, that is the voters, being able to see the powerful people at work. I would have thought that was open government. It is about the people seeing their elected representatives at work, not hiding them. Today we have seen the unfortunate spiralling downwards of job prospects in the Territory. That has to be because of the hiatus in government that we have had in the Territory. We had a government elected in February, and after the Chief Minister's election we had to wait seven weeks before the first Assembly sitting.

There was a lot of froth and bubble, as usual, about the budget, and at the end of the day the Government said, "We cannot do it; it is too hard. We are going to have to put it off for three months or so". What is the business sector doing out there? They are watching the bottom line all the time and saying to themselves, "We cannot have any confidence in this mob because we do not know what they are going to do. We do not know what they are up to. They obviously cannot put a budget together".

**Mr De Domenico:** Have you spoken to the business community?

**MR BERRY:** If they are so confident, Mr De Domenico, why are they not employing people? You ought to be ashamed to call yourself the employment spokesperson when you see what is happening out there as a result of the lack of confidence and the uncertainty in the business sector. Quite clearly, job prospects have plummeted just in the short term of this Government, and you can see it on the graph. Have a look at the graph.

**Mr De Domenico:** It is all our fault that in seven weeks everything happens.

**MR BERRY:** Of course. If you have a look, right up to February things were going okay, and then they plummeted downwards. They invited their Liberal colleagues up from Victoria to poach our businesses and our jobs, while they were up here trying to help them set up the government. You get the most conservative people in Australia to help you out to form a government. You pull them up from Melbourne and, while they are up here in the dark, after you have finished, they rummage through the family silver to pick the good stuff to take back out of here again. These people should have been frisked at the border because they were taking out of this town jobs, jobs and more jobs.

That ought to be your focus instead of mucking around with this ideological stuff you are going on about, with corporatisation and how much more freedom and flexibility we will have with corporatisation. The bottom line is: What services does it deliver? Look at the overseas experience, and you can see that it is more expensive with fewer services. You can see that here, with the model that was in place, there was an emphasis on the provision of services to the Territory. You have not proven anything in relation to the services that are provided. All you are able to show is this fixation on ideology and corporate models: Competition in the private sector is what we have all been waiting for;

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it is what we really need; it brings us a socially just society. Codswallop! Let us not kid ourselves. This is ideology running wild. You have fixed yourself on this corporate model as a remedy to problems that you see out there in the community. Well, it is rubbish. You know that it is the first step to privatisation. You know that it is the first step to sale, and that is why you do it. That is why you have been taking advice from your mate in Victoria. You had all his senior advisers up to tell you what to do. Next time they are up here, just be careful. Keep the minders watching them all the time.

**Mr De Domenico:** And frisk them at the border.

**MR BERRY:** Frisk them at the border to stop them taking the family silver out, because that is what they were here for. The Premier of Victoria, Kennett, has made no secret of it. He has said that he will grab jobs and businesses from anywhere, and you mob will help him; there is no question about that, in my book.

That historical issue has to be raised again and again to remind our new members in the Assembly about who caused some of the major problems with our health system. Mr Kaine was the Chief Minister of the day. It was a bit difficult to keep the choke chain tight on Mr Humphries, and he got away with the attack on the school system. What happened to our health system? He made the decision to close Royal Canberra Hospital, and then appointed Mrs Carnell to the board so that she could help him.

**Mrs Carnell:** Who did it? Who closed it?

**Mr Moore:** You could have undone that decision, and you know it.

**Mr Hird:** Who closed it? Wayne Berry.

**MR SPEAKER:** Order! One at a time, please.

**MR BERRY:** Who closed down the obstetric ward at the hospital? Gary Humphries. That was the end of the hospital. Who committed us to \$40m worth of construction over at Woden Valley Hospital? Gary Humphries. Who helped him on the Board of Health? Kate Carnell. They were all in it together, the whole lot of them - Trevor, Gary and Kate, all working together.

**Mr Moore:** You cannot wash your hands of that, Wayne Berry.

**MR BERRY:** Michael Moore stands to protect the Liberals. I like to see that.

**Mr Moore:** Wayne "Pontius Pilate" Berry.

**MR BERRY:** And Mr Moore interjects. He could have stopped all this last week and he backed away from it.

**MR STEFANIAK** (Minister for Education and Training) (11.55): I have listened with amazement to Mr Berry's performance. I must admit that he was moving around a lot; that was about the most animated I have seen him. I commend him for being rather polite. What a lot of fallacies he talked about. Firstly, on the Royal Canberra Hospital, he blames Mr Humphries for that. The Labor Government - the second Follett Government - took over in early June 1991 and had ample opportunity to reverse any closure. In fact it was they who went ahead and closed the Royal Canberra Hospital.

**Mr De Domenico:** Who closed it?

**MR STEFANIAK:** The Labor Government, the Follett Government.

**Mr De Domenico:** They spent \$50,000 to get somebody to tell him not to close it, and then they blame the guy who told him not to.

**MR STEFANIAK:** That is right, and then they went ahead anyway. So, the hospital was closed during the time of a Labor government, when Mr Berry was the Health Minister, I think.

**Mr De Domenico:** Was he?

**MR STEFANIAK:** I think he was, Mr De Domenico, yes. Mr Berry made a great song and dance in relation to schools. I note that under the Alliance Government four schools were closed; under the second Follett Government, when Mr Wood was the Education Minister, the Griffith Primary School closed of its own volition. So, that was closed during the time of a Labor government; yet Mr Berry makes a great song and dance, blaming Mr Humphries for gutting the education system. What a load of codswallop, to use Mr Berry's term. That is painfully ridiculous, and Mr Berry should appreciate the facts instead of using so much rhetoric, and incorrect rhetoric at that. Mr Berry understands ideology very well - the old, tired, leftist ideology of the Labor Party - and the rigidity that is implied within that. That was probably one of the main reasons why, in the second term of the Assembly, the Follett Government fell. It was very rigid and it did not have much imagination. Quite clearly, the people of Canberra were sick and tired of it, and that is why it got only about 30 per cent of the vote.

The Chief Minister, in her speech last week outlining the Government's priorities for Canberra, indicated a new approach, a cooperative approach, which I think people in Canberra really want to see happen. Mr De Domenico went at some length into how this Government will consult and take with it other members of this Assembly. When you have only seven people, you need to do that. I think the whole thrust of our campaign, as the Chief Minister's speech said, is a cooperative approach to government in the Territory and an innovative approach as well, using a little bit of imagination.

I can understand why Mr Berry finds what happened in relation to Acton and Kingston totally incomprehensible. Maybe he does not have all that much imagination. The Kingston development is a very exciting proposal. Various proposals have been around for some time for developing the Kingston foreshore. I can recall Ian Hirst coming to see me with a proposal in 1989, within a few weeks of the First Assembly

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starting, and there have been a number of other proposals which have been around for ages and which have developed over the term that this Legislative Assembly has been operating. There is an immense amount that can be done there, and there are some really exciting projects that can happen there for the benefit of all Canberrans. At least the Chief Minister achieved a swap that will enable the Territory to go ahead and develop in a very exciting and, I think, innovative way a large area of land, which can only benefit Canberra and the Territory.

Mr Berry commented about jobs. Such a development as that will provide jobs. I find it quite amazing that Mr Berry has accused this Government, which has been in office for about seven weeks, of creating a huge downturn in jobs in the Territory. I do not think his Government, which was in office for about 3½ years, did terribly much to assist jobs. They were certainly not assisted by their comrades over the lake in the Federal Labor Government, which has been presiding over record high levels of unemployment in Australia - levels that touched at times those experienced during the Great Depression, and certainly levels of unemployment that have been consistently the worst since the Great Depression. Tragically, because of Federal Government policy, many of those unemployed are the young. We are now seeing people in a generational situation of unemployment, with the tragic figure of 25 to 30 per cent of youth unemployed. There is only so much that a State or Territory government can do; but I do not think the last Government, the Follett Government, did very much to help there. A lot of the blame can be sheeted home to where it really lies, and that is with the Federal Government, which has been in power now for some 12 years. I think we need to bear that in mind when we talk about jobs and lack of job opportunities, especially and tragically for our youth. At the other end of the scale are people in their mid-40s and older, who have immense difficulty getting jobs when they are retrenched. That is also a great human tragedy and something the Federal Government especially cannot be proud of.

With the innovative approach in the Chief Minister's address to this Assembly, we are very mindful of doing what we can as a government to create job opportunities for people in Canberra. The refreshing approach in terms of business, especially small business, and some of the initiatives this Government will be taking in that regard can only assist in increasing real jobs in Canberra. As a member of the Government I look forward to working to see that occur. A number of the things we enunciated during the election campaign and a number of the ideas we are getting from the business community and other people can only assist in creating real employment in this Territory.

Mr Berry talked about the budget being a whole lot of froth and bubble. Unfortunately, and rather tragically, the previous Government was not terribly good with its figures. It certainly was not good in terms of reading the electorate and it was not good in terms of the basic arithmetic the Chief Minister has set out here, where we end up about \$60m short; where we have \$12m, but \$31m of very worthwhile projects that people want to see happen. We were left with a budget situation that is very hard and is going to cause a lot of difficulty. It needs to be sorted out, and it is not going to be easy. The previous Government has to wear the blame for that because they did not leave the Territory finances in a terribly - - -

**Mr Connolly:** We will wear the blame for a AAA credit rating when we left office.

**MR STEFANIAK:** You might have got a AAA credit rating, but you left your budget in a pretty awful state, Terry.

**Ms McRae:** You wish.

**MR STEFANIAK:** I wish you had not, Roberta, yes. It is not just a lot of froth and bubble, as Mr Berry said.

I was interested to hear Mr Moore's comments. Mr Moore made a number of quite valid and sensible comments. He highlighted a problem in education, in that we do have a lot of senior teachers, and that is something that is going to be with us for some time. He highlighted the problem that this Government, indeed any Territory government, will face, namely, the problem of money. There is limited money and there are a lot of things that need to be done. It is a matter of prioritising. It is a real problem for any government and it requires a commonsense approach. It requires reasonableness to be shown by people.

It seems that we may well have minority governments for some time in the Territory. We are yet to have a majority one and, even though we received a thumping good mandate, as opposed to the Labor Party, it still was not 50 per cent and we are still a minority government. So compromise, commonsense and reasonableness have to be shown by all of us in the Assembly if we are to achieve things for Canberra. I think the approach taken by the Chief Minister in relation to a council-style government and taking people with us, as exemplified by this ministerial statement on the Government's priorities for Canberra, demonstrates commonsense. It shows a willingness to make compromises where necessary and, more than anything else, it is a very reasonable document and a reasonable blueprint for this Territory to pursue.

**MRS CARNELL** (Chief Minister) (12.03), in reply: I thank the members for their responses today, and Ms Follett last week, to the ministerial statement on priorities for Canberra which I tabled in the Assembly. It is clear from today's debate that the issues I raised in the statement have provoked a great deal of feeling amongst quite a number of members of this Assembly. From the outset may I say that I make absolutely no apology at all for my approach.

The issue of waiting lists was brought up previously. When there are problems in the system and those problems come to light I will continue to make them public. I will make them public in the media and in this Assembly. I think the only way that we can assess how well we are going as a government and as an Assembly is by adopting an approach which is open and decisive, and one that embraces reform. In other words, we have a problem, so let us do something about it. Mr Connolly, were you indicating in your speech that somehow the problems with category 1 waiting lists did not exist before March?

**Mr Connolly:** I said that they got worse in the last month.

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**MRS CARNELL:** You were suggesting that they did exist before March. Thank you, Mr Connolly. I wanted to be sure of that. This Government will be about delivering; it will not be about rhetoric. It will be about determining what our problems are and getting on to solve them. The Government understands and I think everyone in this Assembly understands, hopefully, that the people of Canberra want a new type of government to run this city, and they have it; but we are learning, as is this whole Assembly. There will be times when we get it wrong, and when we do we will admit it. What we will do is listen and, hopefully, as an Assembly, we will move forward together. There will be a fresh vision for the Territory - one that is determined to make Canberra a city that people want to live in, a city that is a pleasure to live in, that people can live in; one that is truly focused on putting the ACT in the forefront of national developments, not in a backwater but in the forefront of where we are going as a nation.

It is very interesting to note that aspects of our approach are already being replicated elsewhere in Australia. I was interested to see that last week, in Melbourne, the Prime Minister, Mr Keating, launched the Employment Services Regulatory Authority, which, very interestingly, is going to be chaired by the former Labor Premier of Victoria, Joan Kirner. This authority, which will be known as ESRA, will offer the resources of government, the community and the private sector to job seekers who have been unemployed for more than a year. We will see them really working together with the community and the private sector - that nasty private sector that Mr Berry always speaks about in such glowing terms, to say the least! These long-term unemployed people will be able to choose a case manager from any one of these sectors, and, in return, the managing agency will receive an outcome fee for successful placements within 13 weeks. The scheme will encourage competition, regulate the market, and establish best practice in case management; and this will be achieved through a partnership, as I said, between the sectors.

The same principles underlie the policies of this Government. What we are talking about here is not the private sector being the be-all and end-all, or the public sector or the community sector being the only way to go. What we have to do, especially in a little place like the ACT, is work together to get best outcomes, as was suggested in this new approach from the Federal Government, the ESRA initiative, which we think is a really great way to go.

Mr Speaker, the Canberra that we manage will be different. It will be different in the way that it manages its business and its finances. It will be different in the directions that we set for the economy to achieve sustained economic growth. It will be different in the exciting cultural and tourist developments that will facilitate things like the Kingston foreshore development. It will be different in the way that the public services, such as health, are delivered to the community, and different in the more modest and more accessible style of government that we develop.

Mr Speaker, I welcome the attention that this statement has received, both in the Assembly and in the community. What was sad, Mr Speaker, was the approach that Ms Follett took to this whole situation. She panned absolutely everything. There was not one comment in her whole speech that suggested that anything about our direction and what we are planning was a good idea for Canberra. She actually suggested that we did not support Speedrail. I have two letters in front of me here - one dated

16 November 1993 and the second one dated 21 March 1995. This is just part of a lot of communication, telephone calls, and all sorts of meetings between us and the then Fahey Government supporting Speedrail; attempting to get the New South Wales Government to move, to start supporting the Speedrail approach, and to accept that Speedrail should have been looked at. That, certainly from my perspective, is not a negative approach.

**Mr De Domenico:** And Bob Carr should be congratulated for doing so.

**MRS CARNELL:** Absolutely. We are very happy with Bob Carr's approach. That shows that Ms Follett was wrong. She assumed that anybody in opposition was necessarily going to oppose. I would like to tell Ms Follett that we did not actually oppose everything. In fact, we did not oppose most things. It is interesting to note that the previous Chief Minister simply cannot accept that an opposition, as we were at the time, could have possibly supported something; but the letters are there for everyone to look at. There were also a number of interviews that Mr De Domenico and I did, urging the New South Wales Government to take a more positive approach to Speedrail. We are pleased that that has happened now.

It was also interesting to note the comments that Mr Berry made, particularly, and Ms Follett as well, about the economic approach of the previous Government and our economic approach. One of the things we have to understand is that the situation we were left with was not much chop, to put it mildly. These are not our figures; they are figures to the end of December, so we cannot end up with any misunderstanding on this. The local economy in the ACT, to the end of December, grew by 2.5 per cent in real terms. What happened nationally? There was growth of 4.7 per cent. We grew at just over half the rate of the national economy. That really is not up to much.

Interestingly, according to Mr Berry, we should be concentrating on jobs. The ACT labour market showed signs of weakening during all recent quarters, and we are talking about to the end of December. The ACT's total employment, in trend terms, has been falling since October 1994, Mr Berry. That is not a really good success rate for you guys. We have a situation where total employment has been falling ever since October 1994, and it simply has to be turned around. The number of dwellings approved, in trend terms, has steadily declined over the last 12 months, indicating a real downturn in a market that is very important to us, the housing market. We already have a situation where employment is on the downturn. We have problems in a number of our key industries, and our growth rate is just over half the national average. That is the basis upon which we have had to start. We believe that the only way to go, as Mr Moore says, is to adopt a different approach.

Mr Berry made comments about corporatisation. It is interesting to note the two situations in the ACT where corporatisation has occurred. One is Totalcare and the other is ACTTAB. What happened with Totalcare? Totalcare was corporatised and what was a big loss to the ACT was turned around. We now have a corporatised entity, totally owned by the people of the ACT, that is starting to look like it is going to return a dividend to the people of Canberra, rather than cost us money, which was what was happening before corporatisation. With ACTTAB, the previous Government moved to

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decorporate ACTTAB. It moved away from corporatisation. What has happened since? It has gone broke, basically. We have a TAB that simply cannot afford to service its debt - a debt given to it by the previous Government. They were the only two experiments. The one we corporatised now looks like making a return to the ACT, after a definite loss. ACTTAB was the opposite; we have gone from having a very vibrant entity to one that has a debt that it cannot afford to service - thanks to the previous Government, of course.

I think the challenges that lie ahead for the ACT are very much challenges for the whole Assembly, not just for the Government; but they are daunting. They are ones that are going to have to be taken on board, but we simply cannot achieve anything if we are going to have an opposition that simply refuses to accept that we have to move ahead. We have to attempt to operate in a collegiate fashion, at least in areas that we can agree on, and there must be some. I am pleased to see that every other member of this Assembly understands that more of the same is not going to be good enough any more. We have to move ahead together. We have to learn. We have to get out there into the rest of Australia and ensure that the ACT is growing at the same rate, if not better, and actually can afford to employ our young people.

Question resolved in the affirmative.

**Sitting suspended from 12.14 to 2.30 pm**

## **QUESTIONS WITHOUT NOTICE**

### **Acton-Kingston Land Swap**

**MS FOLLETT:** Mr Speaker, I have a question for the Chief Minister, and it again relates to the Acton-Kingston land swap. Mrs Carnell, last Thursday your Attorney-General, Mr Humphries, told this Assembly:

We have entered into that contract and we are bound to the consequences of that contract.

That is a quote from *Hansard*. I ask the Chief Minister: What advice have you received telling you that there is a legally binding contract, and will you table that advice? If there is no such advice, why have you not sought it?

**MRS CARNELL:** I think it is appropriate at this stage to inform the Assembly on the status of the agreement with the Commonwealth with regard to the Acton-Kingston land swap. I have previously advised the Assembly ad infinitum that negotiations took place between the Commonwealth and the ACT in the lead-up to the Premiers Conference. On 10 April I wrote to the Prime Minister confirming that agreement; that is, the agreement for the Acton-Kingston land swap. On 11 April, in the context of the Premiers Conference, the Commonwealth agreed to the provision to the ACT of \$15m in additional special revenue assistance, and also on 11 April the Minister for Communications and the Arts, Mr Lee, issued a media statement announcing the land swap. In doing so, he confirmed the Commonwealth's concurrence with the description of the agreement set out in my letter of the previous day to the Prime Minister.

Following debate in the Assembly last week, I made personal representations to the Prime Minister to further state in writing the letter that had been on his table for signature. I think it is important here to put some of the statements that have already been made. In my letter of 10 April 1995, I said:

I am now writing to confirm my understanding of the agreements we have reached in relation to these matters. My understanding is as follows.

The Commonwealth Government agrees to provide additional Special Revenue Assistance to the ACT of \$15 million in the 1995-96 financial year. Clearly this level of funding will be setting us a significant challenge.

I went on:

As well the Commonwealth agrees to make available to the ACT Government all land on the Kingston foreshore of Lake Burley Griffin.

The letter continued:

... the ACT ... agrees to provide the Commonwealth with - - -

**Ms Follett:** You missed out a bit.

**MRS CARNELL:** I am happy to read the lot if you like:

... the ACT ... agrees to provide the Commonwealth with the whole of the Acton Peninsula site up to the ANU border, minus the hospice and the cottage; to clear the site; and to provide necessary infrastructure up to \$3 million in support of the Gallery of Aboriginal Australia as part of the network of the National Museum of Australia.

That was on 10 May. On 11 May, the Minister for Communications and the Arts, Michael Lee, put out a press release headed "Agreement Clears Way for Design Work to begin on Gallery of Aboriginal Australia", which said:

The development of the Gallery of Aboriginal Australia as part of the network of the National Museum of Australia will go ahead at Acton Peninsula in Canberra, after successful negotiations between the Commonwealth and ACT Governments, and indigenous groups.

... Michael Lee announced today that negotiations have secured the Acton Peninsula site for the Gallery of Aboriginal Australia through a Commonwealth/ACT land swap deal.

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Mr Lee said:

This is significant progress and I am very pleased that work on developing detailed designs can now proceed with construction expected to start next financial year ...

It has been agreed -

these are his words -

that the ACT Government would provide the whole of the Acton Peninsula site to the border of the Australian National University, excluding the hospice and the cottage. The ACT Government will clear the site of existing buildings and provide up to \$3 million for infrastructure work for the Gallery of Aboriginal Australia.

In return, the Commonwealth will make available to the ACT Government land on the Kingston foreshore of Lake Burley Griffin ...

It then goes on to say something really interesting:

Negotiations on the land swap had been progressing with the Follett Government since last October and were finalised with the current Government this week.

So, we have an agreement from us; Michael Lee says that there is an agreement; and now we have the Prime Minister. The Prime Minister in his letter said:

Thank you for your letter of 10 April 1995 setting out your understanding of our agreement for the future development of Acton Peninsula and the Kingston foreshores.

The Federal Government shares your understanding of the agreement, as confirmed by my colleague, the Minister for Communications and the Arts, the Hon Michael Lee MP, in his media release of 11 April 1995 ...

Detailed aspects of the implementation of the agreement, including the impact on the ANU, can be worked out at officials level. I understand that discussions to this end commenced last month.

So, we have a situation where the ACT Government believes that there is an agreement, Michael Lee believes that there is an agreement, and the Prime Minister believes that there is an agreement. From my perspective, when I as Chief Minister of this Territory make an agreement with the Prime Minister, I believe that his word is good, he believes that my word is good, and we have an agreement in place. It seems that the only people who do not believe that there is an agreement are members of the Labor Party.

**MS FOLLETT:** Mr Speaker, I ask a supplementary question. I have in mind that Mrs Carnell last Thursday in the Assembly had to make a personal explanation about the status of those negotiations. I again draw her attention to Mr Humphries's statement last Thursday - not today, not since we have received the Prime Minister's letter, but last Thursday - when he said:

We have entered into that contract and we are bound to the consequences of that contract.

By tabling the Prime Minister's letter today, does Mrs Carnell concede that Mr Humphries misrepresented the legal situation? If not, will she table the legal advice she had at that time, and, if she has no legal advice, will she now seek it?

**MRS CARNELL:** I entered into an agreement in good faith.

**Ms Follett:** No, Mr Humphries; a different question.

**MRS CARNELL:** Mr Humphries was talking about an agreement I entered into. As Chief Minister of this Territory, I entered into negotiations with the Prime Minister of this country. We reached an agreement. I trust him. He trusts me. On that basis, there is an agreement. The previous Chief Minister knows perfectly well - - -

**Ms Follett:** On a point of order, Mr Speaker: The terms used by Mr Humphries were "contract" and "the consequences of that contract". I would ask Mrs Carnell to address the question.

**Mr Kaine:** On the point of order, Mr Speaker: I believe that the Chief Minister has already answered the question and the Opposition is merely flogging a dead horse.

**MR SPEAKER:** I must admit that I find it very difficult, Leader of the Opposition, to understand what you are driving at in terms of your supplementary question. I was of the opinion that the Chief Minister had fully answered the question. If you have anything to add, Chief Minister, that will assist the house, please do so.

**Mr Berry:** On a point of order: The Leader of the Opposition asked the question. I know, Mr Speaker, that you have said that Ministers can answer them how they like. Perhaps you might grant the same leeway to the Opposition as well, to ask them how they like.

**MR SPEAKER:** I cannot do that, Mr Berry, as you know. The Leader of the Opposition has asked a question, as she is entitled to do. How the Chief Minister chooses to answer that question, as you know, is entirely up to her. If the Chief Minister can throw any more light on the matter for the house's benefit, I invite her to do so.

**MRS CARNELL:** The *Oxford Dictionary* might shed more light on this. The *Oxford Dictionary* defines a contract as an agreement.

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### Land Transfers - Contracts

**MR BERRY:** My question is to Mr Humphries in his capacity as Attorney-General. Does this ACT Government normally commit itself to legally binding agreements concerning the transfer of land without proper contractual documentation?

**MR HUMPHRIES:** Mr Speaker, first of all, may I note what an auspicious day today is. In asking me this question the Labor Party has broken a tradition that now goes back for six years of never having asked a non-Labor Attorney-General in this place a question.

**Mr Connolly:** No; we asked Mr Collaery one the day he was not present.

**MR HUMPHRIES:** Mr Collaery was never asked a question. Today is the first day that a non-Labor Attorney-General has been asked a question on the floor of this house by the Labor Party. I congratulate the Labor Party on having the guts to finally get around to asking a question and I take pleasure in answering it.

Obviously, Ms Follett is trying to suggest that there is some problem to do with the statute of frauds, which provides for agreements relating to land to be in writing. Lawyers know that that is the case - that agreements relating to land do need to be in writing, as a general rule, to be legally enforceable in the courts. What the Chief Minister has made clear, however, is that there was an agreement, a contract, binding promises, agreements for consideration, whatever term you want to use, as between the ACT Government and the Commonwealth Government. If Ms Follett thinks that when the Prime Minister of this country and Ms Follett - - -

**Mr Berry:** On a point of order, Mr Speaker: I asked, and I would like to get to the bottom of this: Does the ACT Government normally commit itself to legally binding agreements concerning the transfer of land without proper contractual documentation? Which part does Mr Humphries not understand? I am perfectly happy to explain it to him in full so that I can get to the bottom of the question. Does the ACT Government normally do that?

**MR HUMPHRIES:** Mr Speaker, I understand Mr Berry's stupid question perfectly well and I will answer the question perfectly clearly so that even he might be able to understand the answer. The answer is that there is not yet any transfer of land taking place. We are not proposing to hand over the title deeds to Acton Peninsula and receive the title deeds for Kingston today, yesterday or tomorrow. That will happen at some point down the track. However, there is unquestionably an agreement between governments, entered into in the same way that I suspect most agreements between governments are entered into in this country, that is, by leaders or senior officials of those governments talking to each other and reaching agreement.

If Ms Follett thinks that it can be reached only by documentation being exhaustively drawn up and contracts being exhaustively prepared and so on, and that it is not until that point that agreement is reached, she has had a dramatic change of heart since she herself was in government. I suspect that when Ms Follett announced about a year ago that she

was going to give the Federal Government \$13m towards infrastructure on Acton she did not have any written, signed, legally effective agreement on her desk saying, "Yes, we receive \$13m and in exchange you get a Museum of Australia". That did not happen then.

**Mr Berry:** Mr Speaker, a touch of relevance would be helpful in our understanding of the answer.

**MR SPEAKER:** I am listening carefully.

**MR HUMPHRIES:** Mr Speaker, the arrangements adopted by the former Government at that point - - -

**Mr Berry:** I am sure that you are listening carefully, but a touch of relevance would be helpful.

**MR SPEAKER:** I am sure that you are bringing your response back to the issue at hand, Mr Humphries.

**MR HUMPHRIES:** The relevance of my remarks is that the arrangement that is criticised in Mr Berry's question is exactly the same arrangement that Mr Berry and his Government applied when they were in office. I might point out that those sorts of arrangements are not just in relation to things like Acton. Take, for example, VITAB. When it came to VITAB, we never saw an agreement. We only had Mr Berry's word that there ever was an agreement. If Mr Berry wants to talk about binding agreements - and he asked us to table this agreement in the house - where is the VITAB agreement? We have been waiting 12 months for the VITAB agreement. We still have not seen it. Where is it?

**Mr Berry:** A bit of relevance, Mr Speaker? Just a touch?

**MR SPEAKER:** You asked about agreements, Mr Berry. I think it is reasonable that Mr Humphries, in answering your question, if he chooses, may make comparisons of that nature.

**MR HUMPHRIES:** Mr Speaker, I think that before the Opposition gets on its high horse about these matters it ought to examine its own record in this area.

**MR BERRY:** I have a supplementary question, Mr Speaker. Mr Humphries ought to note that, although I was cleared, they are yet to be cleared on this one, and it is a long way off yet. As Mr Humphries has made a lot of noise about the ordinariness of this, could the learned Attorney-General - I use the term "learned" advisedly - tell us where there are any precedents where a government press release can create a legally binding contract involving the transfer of interests in land? Stick to the facts. Can you think of one precedent?

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**MR HUMPHRIES:** Mr Speaker, I have answered this question quite satisfactorily already. If Mr Berry can say with a clean conscience that his Government never reached agreements with other governments or with the Commonwealth to make dealings affecting land, I suggest that he go back to the question of the procedure of dealings in the early stages of self-government, when the ACT acquired land from the Commonwealth and vice versa. I think Mr Berry will find plenty of instances where agreements of this kind have been reached, and Mr Berry well knows that.

### **Special Education Needs**

**MR MOORE:** Mr Speaker, my question is to Mr Stefaniak, the Minister for Education and Training. Mr Stefaniak, can you assure the Assembly and the parents of children with special needs that the integration program in ACT government schools will continue through 1995 and 1996?

**MR STEFANIAK:** I thank Mr Moore for the question. The Chief Minister, in the lead-up to the election, made that commitment. That is a commitment made by this Government this year.

### **Land Transfers - Contracts**

**MR CONNOLLY:** My question is to Mr Humphries in his capacity as Attorney-General, and he is present in the chamber. The Attorney in his answer to the previous question went off on a dissertation about the statute of frauds and so forth. Clearly, Mr Humphries is aware of certain legal rules that must be complied with for contracts involving the transfer of interests in lands. Why were these not complied with in the present case? Does the Attorney have legal advice, and will he table it, saying at which point a political agreement with the Commonwealth became a legally binding contract which would prevent the Chief Minister, properly advised of the issues, from reopening this and properly defending the interests of the Territory?

**MR HUMPHRIES:** Mr Speaker, the premise on which the question is based is quite false, that is, the premise that the Chief Minister has not acted to protect the interests of this Territory. That is quite inaccurate, and I think those opposite should ask themselves what their motives are for launching this kind of attack on this arrangement. It is exactly the same kind of arrangement entered into by the previous Government, for example, where it offered to provide \$13m for the provision of infrastructure on Acton Peninsula. That was an offer made, again transferring quite significant sums of money - \$13m - and involving land, which was effected by agreement between heads of government or by senior officers without there being necessarily written contractual arrangements at the same time.

I think the Opposition is quite forcefully suggesting, and trying to create in the public mind some belief, that these sorts of agreements cannot be reached until such time as documentation is exchanged. That is simply not the case. The Prime Minister himself, in his letter of 9 May, says very clearly:

Detailed aspects of the implementation of the agreement -

the thing you said was not an agreement; he was not making it, he was referring to it -

can be worked out at officials level.

That is the way things are done. You know that, Mr Connolly; you know that, Ms Follett; you know that, Mr Berry; and it is time you stopped pretending to the people of this Territory that shonky deals of some sort are being done. This is precisely the way that governments operate, and you know it.

**MR CONNOLLY:** Mr Speaker, you may have to rule that this is simply asking the question again, but I put it by way of a supplementary question because I still have not got an answer. Mr Humphries, at what point, if at any point, have you got advice to say that you have a binding agreement, a contract, something that is irrevocable, as opposed to a political understanding that can be reopened? Is there advice to that effect and, if there is, will you table it?

**MR HUMPHRIES:** Mr Speaker, nobody in the ACT Government has been asked to provide advice as to whether the agreement referred to by the Prime Minister in his letter is indeed an agreement. Nobody has yet been asked to provide that information because nobody in the ACT Government, whether in the Ministry or elsewhere, is so stupid as to imagine that they could not effect an agreement between those two governments otherwise than by exchange of comments and discussions between the Chief Minister and the Prime Minister. Nobody is that stupid. That is why nobody has asked for or sought such advice.

### **Tuggeranong Weather Station**

**MR KAINE:** I have a question for Mr Humphries, the Minister for the Environment, Land and Planning. Minister, I noticed that last week you announced that the Government was progressing the development of a weather station in Tuggeranong. In fact, one of your officers gave a very comprehensive and professional briefing to the Tuggeranong Community Council last Thursday night on this issue, and the proposal seemed to be well received there. There has been a bit of huffing and puffing from the Opposition on this issue over the last few days. Minister, can you tell the Assembly what reaction you have had from the general community to the announcement about this matter?

**MR HUMPHRIES:** I thank Mr Kaine for his question, which does raise a very important question not just about providing facilities for people across this Territory on a basis that is appropriate to their needs, but also about what kind of policy the Opposition is pursuing in attacking decisions made by the Government of the ACT, irrespective of who might be in the Ministry. I announced last week that the Government and the Commonwealth Bureau of Meteorology will develop an automated weather station in Tuggeranong. The cost of that to the ACT will be about \$40,000, which is a significant sum of money, I concede. That includes equipment costs, the land itself, site works and a share of the communication costs. The costs to the bureau will be the operating costs of the site, service and maintenance, and ongoing running costs. Over the next 10 years that is estimated to be something in the order of \$100,000. So, we are providing a service in Tuggeranong the cost of which is principally being borne by the Commonwealth Bureau of Meteorology.

The question was asked: Why have it in Tuggeranong? The reason is that there is a different climatology from the airport and city weather stations, particularly in relation to wind flow, smoke, and pollution dispersal, and there is a growing sense of community in Tuggeranong which I think deserves to have recognition with a set of statistics that are relevant to the needs of that particular area. I note that the two Labor members for Brindabella are keeping their heads very nicely down during this one.

I think I can best summarise the arguments for this matter by quoting a letter I have received from Mr Gavin O'Brien from an organisation called Southside Weather Watch, which is a private, non-profit organisation monitoring weather and microclimate activity in Tuggeranong. Volunteers man this organisation. He explains the reason for this. He says in a press release he has issued:

I am quite annoyed at the ignorance shown by the Deputy Opposition Leader as there is a vast difference between a weather station and an air quality station. A Weather station measures Wind Direction, velocity, temperature, Dew Point/Relative Humidity and atmospheric pressure. Air Quality Stations Measure Carbon Monoxide, Atmospheric Lead Levels, Visible pollution, Nitrogen Dioxide, Ozone and Suspended Particulates.

Without Meteorological Data it is not possible to understand why certain weather patterns allow higher pollution levels than at other times. It is also important to be able to warn residents when pollution levels are likely to be high and the location of at risk areas.

...            ...            ...

I am extremely disappointed that political point scoring has blurred the need for this Station and study and hope Mr Berry will check with people with some knowledge of the issue before commenting in future.

Finally, Mr Speaker, the most startling aspect of this proposal is that it might come as a shock to Mr Berry to learn that I did not actually develop a proposal for a weather station from go to whoa in the last seven weeks. In fact, the idea was very substantially developed by Mr Bill Wood, member for Brindabella and Mr Berry's predecessor as environment spokesman. I am very pleased to support another Labor Party initiative. It is a pity the Labor Party cannot support it.

**MR KAINÉ:** I ask a supplementary question. Minister, given that the Labor Party in government was progressing towards this very same outcome, and having regard to the criticism that has come from members of the Labor Party in the last few days, have you by any chance had any communication from either Mr Wood or Mr Whitecross telling you that this is a bad idea?

**MR HUMPHRIES:** Strangely, Mr Kaine, I have not. Perhaps it has not yet come across my desk. I am sure that I will receive some communication from Mr Whitecross and Mr Wood in due course, and perhaps they will not be quite so critical of this idea as you suggest.

**Ms Follett:** On a point of order, Mr Speaker: Could I ask Mr Humphries to table the document he was quoting from?

**MR HUMPHRIES:** Mr Speaker, I am very happy to do so, but let me say one thing about that. An agreement was entered into in the past not to - - -

**Ms Follett:** No; you were reading the letter.

**MR HUMPHRIES:** No, I am not; I am reading a statement which I prepared.

**Ms Follett:** Mr Speaker, I would like him to table the letter from which he was quoting, not his brief.

**MR HUMPHRIES:** I am not reading from the letter here. Mr Speaker, can I make a point: It was always the agreement in the previous Assembly that Ministers not be asked to table documents from which they read during question time.

**Ms Follett:** I do not want your brief. I want the letter.

**MR HUMPHRIES:** I am reading from that document at this stage. I am happy to table it, but be aware that if you wish to change the rules that is perfectly fine by me.

**Ms Follett:** Mr Speaker, I am not asking for Mr Humphries's briefing, but I am asking for the letter from which he was quoting.

**MR HUMPHRIES:** Mr Speaker, I indicated that it was a press release that was issued by Southside Weather Watch.

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**Ms Follett:** Another press release.

**MR HUMPHRIES:** I said that. If you were paying attention you might have heard me say that. It was a press release. Mr Speaker, I do not have the press release with me. All I have is an extract from the press release. I am very happy to table the full press release later on when it comes to attention; but I will warn the Opposition that this does change the rules under which we have operated in this place. I am not reading from the press release; I am reading from a part of my brief.

**Ms Follett:** Mr Speaker, I have no requirement for Mr Humphries to table his brief. Indeed, he would obviously be quite lost without it. But he quoted extensively from a document which was not provided by his public servants; hence I am not asking him to change the rules, as he refers to them - it is more of a convention. I am not asking for that to be changed. He quoted from a document that was not provided by way of briefing from his public servants but was a separate document, and I would like him to table that separate document.

**MR HUMPHRIES:** Mr Speaker, I still maintain that this is a breach of the agreement entered into between the parties in the past that they should be able to quote from documents. However, it is not in breach of any standing orders, so the Speaker may well rule on this as a favour.

**MR SPEAKER:** Order! There has certainly been a protocol, I suppose, that we did not ask people to table briefing notes from which they were reading. I would hope that this Third Assembly would adhere to that arrangement. If it is the wish of the Assembly not to do so, then I would want something a little more definite. At the moment, I believe that that protocol has continued. If Mr Humphries was quoting from advice received from his officers, and I can only ask him whether he was, then I believe that he is under no requirement to table the information.

**MR HUMPHRIES:** Mr Speaker, I do make the point that I understand that standing orders refer to tabling documents from which a person is reading. I was not reading from Mr O'Brien's press release; I was reading from my brief. It therefore seems to me that under the standing orders I can be required to table only what I am reading from. However, I am perfectly willing to table the document. I said that, and in fact I now do so. I have received it, and I table this document.

**Mr Moore:** That is a press release, is it?

**MR HUMPHRIES:** Yes, it is a media release from Southside Weather Watch.

**Ms Follett:** Mr Speaker, on that point, I think Mr Humphries is being deliberately provocative and opportunist here. I have not asked him to table his brief. I have asked him to table the press release, and in doing so I have in no way altered the convention that has applied in this place.

**Mr Kaine:** On a point of order, Mr Speaker: Are we in question time or are we in the middle of debating some issue here?

**MR SPEAKER:** We are in the middle of question time. I would also rule that, as Mr Humphries is quite happy to table that piece of paper, I do not believe that the arrangement we previously had has been breached. But I remind all members that that is a convention and I hope that it will be upheld in future. Mr Humphries has elected to table the information he has just tabled. I do ask members to hold to the convention we adopted in the last Assembly, which I hope will continue in this Assembly, that Ministers should not be asked to table papers and briefs they are quoting from.

**Ms Follett:** It is a convention, Mr Speaker; it is not a ruling.

**MR SPEAKER:** Yes, it is a convention.

### **ACTEW - Corporatisation**

**MS TUCKER:** My question without notice is directed to the Minister for Urban Services. Will the Minister outline what consultative processes the Government has engaged in and will engage in over the future corporatisation of ACTEW? Can the Minister outline the timeframe the Government has planned for the ACTEW corporatisation? Does the Minister believe that there is a need to rush corporatisation on ACTEW and the people of Canberra?

**MR DE DOMENICO:** I thank Ms Tucker for her question. The answer to the last part of the question is no, there is no need for the Government to rush anything. In answer to the second part of Ms Tucker's question, the Government has discussed corporatisation with the relevant unions and will continue to do so. The Government has a timetable of attempting to get legislation into the Assembly, at least, and perhaps passed, by 1 July. If the Government is not able to do that by 1 July the wheels of government will not stop; they will continue to turn. I give a commitment, as the Chief Minister has given a commitment, that the Government will attempt to bring the unions with us. We will consult with the Independents, we will consult with the Opposition, and we will consult with any other person who is willing to be consulted with.

### **Acton Peninsula**

**MS McRAE:** My question is addressed to Mrs Carnell in her capacity as Chief Minister. Last Thursday, Mrs Carnell, when we were discussing the Kingston-Acton land swap you said that you would be very happy to table the leases for organisations on Acton Peninsula, including the hospice and child-care centre. When will you table those leases?

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**MRS CARNELL:** I am very happy to give those leases to the committee that is looking at that issue.

**Ms Follett:** No; table them.

**MRS CARNELL:** I am also very happy to table them here if that is what - - -

**Ms Follett:** When?

**MRS CARNELL:** I will seek advice on that from my department and do it as soon as is practicable. There is nothing to hide. They were under your Government; I assume that you would have known what they were.

**Mr Connolly:** I rise on a point of order, Mr Speaker. I approached the Clerk at the table to examine the document that had just been tabled, the cause of some toing-and-froing, which I expected to be the press release, which is what we wanted to see. In fact, Mr Humphries has tabled his ministerial brief, the brief prepared by his advisers for question time.

**Mr Humphries:** No, I do not think so.

**Mr Connolly:** It is headed "Subject: Mr Berry's statement". We do not want to see that; all we want is the press release. I wonder whether Mr Humphries has inadvertently tabled the wrong document. No; in fact it says, "Press release follows". I did not look at it in any depth because I do not want to be reading your ministerial brief. All the Opposition asked for was the press release. We are mindful of the convention, and we want to see the press release; we do not want to see your ministerial brief, which you have tabled. I wonder whether this can be rectified.

**Mr Humphries:** On the point of order, Mr Speaker: I understand very clearly that the document I have tabled is what purported to be a press release by Southside Weather Watch. It was issued to the media in that form. I am sorry if Mr Connolly does not like the form of it, but that is what Southside Weather Watch issued. It was not a brief from my department to me and that is the form in which it came.

**Ms Follett:** All right; so there has been no breach of the convention.

**Mr Humphries:** Mr Speaker, there has been a breach of the convention; that is my view.

**MR SPEAKER:** Order! A point of order was taken on the tabling of that document. Mr Humphries has answered that. We are not going now to stray into other debate on this matter, unless you want to ask a formal question about it.

### Roadworks - Hall

**MR HIRD:** I direct a question to Mr De Domenico as Minister for Urban Services. I draw the Minister's attention to concern among my constituents in Hall about the sealing of roads in that village. I ask the Minister: What will the Government do to upgrade these roads? Does he consider it satisfactory that the people of Hall have had to wait so long for basic necessary roadworks to be undertaken in that village?

**MR DE DOMENICO:** I thank Mr Hird for his question. Mr Speaker, the failure to respond to the legitimate needs of the Hall residents is a legacy of the previous Government's ineptitude and total arrogance. I say "ineptitude" because the first two stages to upgrade and seal gravel roads in Hall were completed as part of the capital works program in 1990-91, I am told, and 1991-92; but the third stage, designed to complete all the gravel roads in Hall, was deferred and put into the too-hard basket by the previous Government for three years. So, for three years all the residents of Hall Street and a good number in Alexandra and Loftus Streets in Hall had to live with unsealed and substandard roads.

The arrogance of the previous Government was such that one constituent resorted to making representations to the Federal Labor member for Fraser, Mr Langmore - - -

**Mr Hird:** Labor?

**MR DE DOMENICO:** Yes, the Labor member. He resorted to going to Mr Langmore, I am told, when no satisfaction was forthcoming from my predecessor. It shows the depth of complacency that existed then when constituents lost faith in the ability of their own Government to solve their problems. While this was just one of the many instances of Labor's arrogance, it was correctly highlighted by Mr Bachelard in the *Canberra Times* of 19 February as a symbol of the inability of the previous Government to be responsive to the community's reasonable needs. Mr Bachelard said:

It was Hall, where, who knows why - perhaps about sealed streets - Bill Stefaniak won 26 per cent of the vote compared to only seven per cent for Labor's Wayne Berry.

That is not the Liberal Party speaking. The Follett Government was more interested, it seems, in the perks of power and profligate spending, with no tangible benefits to the people of Canberra. Mr Speaker, this situation naturally appalled me when brought to my attention by Mr Hird and Mr Stefaniak, and I can tell members that I have approved work to commence as soon as possible to complete the sealing of the roads in question.

### **ACTEW - Corporatisation**

**MS HORODNY:** I address my question without notice to the Minister for Urban Services. Can the Minister tell the Assembly what shackles - to use his own words - corporatisation will remove from ACTEW? Will the Minister assure the Assembly that there will be no job shedding, reductions in customer services, or degrading of energy efficiency programs under corporatisation?

**MR DE DOMENICO:** I thank Ms Horodny for her question. Corporatisation of ACTEW is all about what corporatisation of ACTEW was going to be about in 1991, when it was all set to go - with, by the way, the approval of the unions. There will be no difference in the way ACTEW will be corporatised this time, Ms Horodny. Can I also suggest that corporatisation is all about providing a better service at a more cost-efficient price to the people of the ACT. Corporatisation is also all about making sure that we come good with the promises made by all State and Territory governments, with the Federal Labor Government, at the recent COAG meeting, which discussed Hilmer. It is to make sure that ACTEW is able to compete on a level playing field with all similar institutions in the future. Corporatisation will also enable ACTEW's different business areas to be separate entities. For example, ACTEW does a lot of fine internationally recognised work in terms of high technology, water use, and electricity and power. We want to make sure that that fine work is able to be at best practice level by enabling ACTEW to compete accordingly. To answer the part of the question relating to jobs, there is no intention for this Government to look into curtailing jobs in any area of the ACT Government Service, and there is no reason to suggest that this will happen at ACTEW.

**MS HORODNY:** I ask a supplementary question. Can the Minister assure the Assembly that employment conditions at ACTEW post-corporatisation will be similar to those operating currently?

**MR DE DOMENICO:** The answer to that, Mr Speaker, is yes.

### **Acton-Kingston Land Swap**

**MR WOOD:** Mr Speaker, I direct a question on the land swap to Mrs Carnell. Last Thursday your Attorney-General said:

... the Commonwealth made it very clear that the ACT would have to agree to the terms of this arrangement or expect not to receive additional funds from the Commonwealth as part of the round of the COAG and Premiers Conference negotiations last month.

I ask: Firstly, was the \$15m special revenue assistance part of this strange contract that has been referred to? Secondly, can the Government commit itself to a legally binding agreement to appropriate \$15m by way of press release?

**MRS CARNELL:** The answer to the first part of that question is yes, the \$15m of special revenue assistance was part of the negotiations entered into between my Government and the Federal Government. It was very much part of that. I think I have said that time and time again, and I think I have answered the second part *ad infinitum*. The Commonwealth believes that there is an agreement; Paul Keating believes that there is an agreement; Michael Lee believes that there is an agreement, stated in writing; I believe that there is an agreement; my Government believes that there is an agreement. The only people who do not seem to think there is an agreement are members of the Labor Party.

### **Health Facilities - Brindabella Electorate**

**MR OSBORNE:** Mr Speaker, my question is addressed to Mrs Carnell as Minister for Health. Chief Minister, would you provide the Assembly with a breakdown of the Government health facilities and comment as to why there is a disproportionate lack of these in the electorate of Brindabella, especially in the Tuggeranong Valley? The people of Tuggeranong might be a bit healthier than anywhere else, but perhaps you could explain that to us.

**MRS CARNELL:** The Department of Health and Community Care has eight health centres in the ACT. There are three centres - Belconnen, Kippax and Melba - in the Ginninderra electorate; there are four in the Molonglo electorate - Dickson, the city, Narrabundah and Phillip; and there is one in the Brindabella electorate, that is, in Tuggeranong. Clearly, there is a need for the Government to look at the adequacy of health services in the Brindabella electorate. The Government will certainly do so during its term in office.

It is interesting to note, too, in terms of the number of doctors available, that there are two salaried doctors practising at the Melba Health Centre, there are two salaried doctors practising from Belconnen, and there are private practitioners at the Kippax Health Centre. So, there are four salaried doctors in Ginninderra. In the Molonglo electorate we have salaried doctors and in Tuggeranong we have two salaried doctors. The situation as it now stands is, on the face of it, that Tuggeranong does have fewer ACT Government facilities than is the case in either of the other electorates.

What we have to do as a government, in addressing these problems, is not just to look at how many doctors are available but also to look at how to best utilise what is a significant asset for the ACT Government, that is, our community health centres. Community health centres provide more than just GP services. There are a number of other services provided from our health centres, including physiotherapy, day care for the elderly, nutrition, social work, nurse practitioners, community nursing, school and adult dental, alcohol and drug services - the list goes on. We have a \$3m facility in Tuggeranong that needs to be utilised a lot better than has been done in the past. We have to look at the facilities that are available the services that are available to the people of Tuggeranong, and better utilise the facilities we have now.

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### **Acton-Kingston Land Swap**

**MR WHITECROSS:** My question is to the Chief Minister. Mrs Carnell, last Thursday your Attorney-General said:

The ACT was lucky to get that money -

that is, the \$15m. He continued:

The circumstances of that deal were not particularly favourable to the ACT

...

Do you agree with the Attorney-General's assessment of this arrangement?

**MRS CARNELL:** Quite clearly, what Mr Humphries was talking about was that we would have much preferred to see the Australian National Museum on Yarramundi. We have said that time and time again. But after the Federal Government determined that they were going to go ahead on Acton regardless - and, of course, the previous Chief Minister had agreed already with that decision by Paul Keating - we determined to go ahead with negotiations that we believed got the best possible deal for the ACT. That was \$15m in special revenue assistance and the capacity to go ahead with a very exciting development on Kingston foreshore; and, of course, that will allow the Gallery of Aboriginal Australia to go ahead on Acton Peninsula. We believed that that was the best we could do under the circumstances. In a perfect world, we would like to see the total museum on Yarramundi.

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

### **Recycling of Glass and Plastic**

**MR DE DOMENICO:** Mr Speaker, on Wednesday, 3 May, Ms Horodny asked me a question about glass and plastic recycling.

**Ms Follett:** You gave the wrong answer.

**MR DE DOMENICO:** Just listen, Ms Follett. There is presently no audit taken of the amounts of glass and plastic waste generated by the business and public sectors. Recycling collections from commercial premises as well as waste collection services are the responsibility of commercial operators. Canberra Paper Recycling provides a paper collection service for government and commercial properties. A range of drop-off facilities are also provided throughout Canberra for paper, glass, plastics and metals. Totalcare provides a collection service for used motor oil, and a commercial service, Vatman, is also available for the recycling of cooking oils. Browning-Ferris Industries - BFI - has advised that they are evaluating the establishment of a recycling collection

service for commercial properties. My department is actively encouraging the establishment of such a service. The domestic kerbside recycling collection undertaken under contract by BFI is an initiative of the Government to reduce the volumes of household waste going to landfill for dispersal. A reduction of over 20 per cent in household garbage has been achieved since December 1994.

### **Bus Fares from Bruce Stadium**

**MR DE DOMENICO:** Mr Speaker, on Thursday, 4 May, Mr Berry asked the Chief Minister, in my absence, about a discrepancy in ACTION bus fares to and from Belconnen interchange and the Canberra Raiders v. Brisbane Broncos game on Friday, 28 April 1995. Passengers travelling to the game were charged \$2 and \$1 and those returning to Belconnen interchange after the game were charged \$3 and \$1.50 respectively. Even though ACTION had scheduled extra buses for the anticipated large crowd at Bruce Stadium for the Canberra Raiders v. Brisbane Broncos game on Friday, 28 April, and made allowance for the fact that there was a concert at the adjacent indoor facility, patronage still exceeded the planned capacity, especially on the return journey. In an effort to best utilise the available buses and even out the passenger loads, ACTION supervisors on duty at Bruce Stadium diverted some buses from their scheduled trips. Unfortunately, this resulted in one driver charging the fare that had been set for his original Woden-Mawson trip, even though he had been redirected to the Belconnen interchange. The price increase was isolated to one bus. It is a matter of regret that passengers were overcharged as a result of the inadvertent mistake and ACTION does apologise for any inconvenience suffered. It was not imposed with the prior knowledge of those responsible for setting fares within ACTION. ACTION also wishes to assure all passengers that its policy is to charge the same fare in each direction for all journeys.

### **Aircraft Noise**

**MR HUMPHRIES:** Mr Speaker, on 4 May, the Chief Minister took on notice a question from Mr Moore concerning noise pollution from aircraft noise. The area falls within my portfolio and therefore I can provide an answer now. Mr Moore sought information about action taken to ensure that outgoing flights taken by commercial, Air Force and private aircraft are compelled to reach the required height before making turns towards Adelaide and Melbourne, thus reducing noise pollution for residents in North Canberra.

In response to this question, I am happy to provide the following information: Like the other States and the Northern Territory, the ACT does not have direct control of aircraft movements over its territory. Furthermore, aircraft noise is specifically excluded from the provisions of the ACT Noise Control Act 1988. Perhaps that is unfortunate, Mr Speaker, for those of us who were at the War Memorial yesterday when the FA-18s

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flew over and almost broke our eardrums. These matters are dealt with by the Federal Airports Corporation and the Civil Aviation Authority. As indicated by the Chief Minister, and referred to by Mr Moore, I understand that it may be possible to reduce noise impacts by changing the departure routes of planes. The Government is therefore writing to the Federal Minister for Transport asking that this matter be given urgent attention in order to minimise the impacts of aircraft noise on Canberra residents. I would be very happy to report to the Assembly on the progress with those negotiations with the Commonwealth.

### PERSONAL EXPLANATIONS

**MS FOLLETT** (Leader of the Opposition): Mr Speaker, I seek your leave to make a brief statement under standing order 46.

**MR SPEAKER:** Leave is granted.

**MS FOLLETT:** In the course of question time, Mr Humphries made a statement that when in government I had made a commitment to the Commonwealth to pay them \$13m for the development of the Gallery of Aboriginal Australia on Acton. That is quite incorrect. My agreement was to fund the infrastructure for the National Museum of Australia on the Yarramundi site. The amount for that infrastructure was costed at roughly \$13m on the Yarramundi site. I entered into no agreement in regard to Acton, and it is my view, and it is obviously the current Government's view, that the infrastructure on Acton will be ever so much cheaper because most of the services are already there. I think the important difference is that, whilst I had given my word on that \$13m on the Yarramundi site, I had certainly not handed it over; nor would I, until I had some evidence that the Commonwealth was proceeding.

**MR SPEAKER:** Thank you for the explanation.

**MR WOOD:** Mr Speaker, I seek to make a statement under standing order 46.

**MR SPEAKER:** Leave is granted.

**MR WOOD:** There was a question about the weather station in Tuggeranong. It was correct, as the answer said, that it was developed on an initiative of mine as part of a very comprehensive strategy to look at pollution in Tuggeranong. Mr Berry's concerns about the clearing of trees on the site - - -

**Mr Humphries:** I raise a point of order, Mr Speaker. I think standing order 46 relates to a personal explanation as to what one has said.

**MR SPEAKER:** Yes, it does. Mr Wood, you are now debating the question and I cannot allow that. You are entitled to make a personal explanation on the matter.

**MR WOOD:** I will follow up on my personal explanation, if I may, Mr Speaker. Mr Berry's concerns about the clearing of the trees on the site are entirely consistent with mine, now and then.

**ROLE OF SPEAKER**  
**Statement by Speaker**

**MR SPEAKER:** On Wednesday, 3 May 1995, Ms McRae raised a point of order concerning a statement made during an interview on radio by the Chief Minister. Ms McRae sought my advice on what my role is going to be in the instance referred to and future instances where there may be misrepresentations about what has occurred in the Assembly. *House of Representatives Practice* states:

As a general point of principle the Speaker's authority is that which is derived from the House, and the foremost duty is to the House and its Members in upholding its dignity and protecting its rights and privileges. Accordingly, the authority of the House and the Speaker have been described as indivisible. The Speaker acts as the House might direct, being the servant not the master.

*House of Representatives Practice* goes on to outline various powers, functions and duties of the Speaker.

The Assembly has not given any instructions to the Speaker in relation to matters such as that raised by Ms McRae. However, that would not preclude the Speaker from making a statement on a matter he or she considered important or necessary. As *House of Representatives Practice* states in relation to the procedural authority of the Speaker:

The Speaker may make statements or announcements to the House when necessary. A Speaker should not look to the standing orders for authority to do something that needs to be done or as a reason for not doing something. If the standing orders are silent or do not place a limitation on the Speaker, the Speaker should assume the authority to make any ruling or decision which the Speaker thinks is appropriate, and leave it to the House to challenge that ruling or decision if it does not agree with it. This is how the practice of the House is developed.

Members must also remember that misconduct by a member could be regarded as a contempt of the Assembly, and it is open to any member to make use of the procedure outlined in standing order 71 should they believe that an incident merits the use of that procedure.

Therefore, in answer to the general query raised by Ms McRae, where a member believes that the action by a person may obstruct the Assembly or its members or officers in the performance of their duties, they may use the provisions of standing order 71. I, as Speaker, will bring a matter to the attention of the Assembly should I believe that it is necessary to alert the Assembly to a matter that may tend substantially to obstruct the Assembly, its committees or its members in the performance of their functions. In relation to the specific incident referred to by Ms McRae, I believe that the matter has now been dealt with and at this stage I do not propose to take any further action.

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**Mr Berry:** I raise a point of order, Mr Speaker. On Saturday, the *Canberra Times* said - I think I have the words correctly - that the Liberals owned the umpire. I think the reference was to you, sir. It seems to me to be a fairly serious thing to say in a newspaper. Do you think that is something that is worth responding to?

**MR SPEAKER:** Certainly. I am not aware of the matter to which you refer, Mr Berry, but I will be happy to take it up with the Clerk.

**LAND (PLANNING AND ENVIRONMENT) ACT - LEASES AND  
LEASE VARIATIONS  
Papers and Ministerial Statement**

**MR HUMPHRIES** (Attorney-General and Minister for the Environment, Land and Planning): Mr Speaker, for the information of members, I present, pursuant to section 216A of the Land (Planning and Environment) Act 1991, a statement which details the leases granted in the quarter ending 31 December 1994. I also present the schedule of lease variations for the period 1 October 1994 to 31 December 1994. I ask for leave to make a short statement.

Leave granted.

**MR HUMPHRIES:** I thank members. The Land (Planning and Environment) Act 1991 requires a schedule of leases that were issued by direct grant during a quarter to be tabled in the Assembly. Members will also recall that in August of last year the former Minister for the Environment, Land and Planning, Mr Wood, undertook to advise the Assembly of all lease variations approved by the department. I am very pleased to say that I will continue to provide the Assembly with this information. A record of all new leases and applications to vary crown leases is available for public inspection at the shopfront of the Department of the Environment, Land and Transport at the John Overall Offices.

**SUBORDINATE LEGISLATION  
Paper**

**MR HUMPHRIES** (Attorney-General): Mr Speaker, pursuant to section 6 of the Subordinate Laws Act 1989, I present Supreme Court (Remuneration and Allowances) Regulations, No. 14 of 1995, made pursuant to the Supreme Court Act.

## **HEALTH SERVICE DEVELOPMENT AND REFORM Ministerial Statement and Paper**

**MRS CARNELL** (Chief Minister and Minister for Health and Community Care): I ask for leave of the Assembly to make a ministerial statement on health service development and reform in the ACT.

Leave granted.

**MRS CARNELL:** Since the advent of self-government six years ago, no administration has ever fully come to grips with the problems confronting Canberra's health system. That is not to say, however, that there has not been lots and lots of good intentions to reform ACT Health. Yet, successive governments have commissioned study after study, major review after major review, of Health since 1989. Each review has identified problems with financial planning and management, work practices and excessive operational costs. Sadly, though, after each review, the will to change has dissipated every time.

It is not my intention, Mr Speaker, to dwell on the record of previous administrations or previous Health Ministers in ACT governments; but I will point out that, as the Territory's fourth Health Minister, the challenges facing me, I think, are the greatest yet. The statistics across Health are unacceptable to this Government, to health professionals and, just as importantly, to patients and the community who use our health services. Waiting lists for elective surgery, of more than 4,500, are at an all-time high, and more than 120 of these patients are waiting in excess of clinically recommended times for urgent, even life-saving surgery. The ratio of public and private hospital beds per capita remains the lowest of any State or Territory, and our principal hospital remains nationally renowned as one of the most expensive in Australia. Average waiting times in accident and emergency have quadrupled since 1991, from one hour to, often, in excess of four hours, and no-one in this Assembly would, I am sure, accept waiting lists for dental care and dentures of up to two years as being anything like acceptable. It is little wonder that health has dominated headlines in Canberra and around Australia.

I will say this, Mr Speaker: Unless there are major changes to focus the way our health services are delivered within the next three years the opportunity for meaningful reform will be lost forever. There can be no going back, and the people of Canberra understand this too. They elected a government that made no secret of its commitment to improving health services and bringing down the costs. We told the truth because Canberrans told us the truth about having to pay more and more every year for a health service that ended up delivering less and less. In order to avoid repeating the failures of the past, however, the barriers to change must be identified and specifically addressed. This is likely to be painful and, at times, I am sure, unpopular. However, the cost of not doing so is very clear. Our above average costs in health must be borne by the taxpayer, which ultimately results in a reduction in the funds available to provide other services such as education.

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As noted in the Andersen report, the approaches of the past simply have not worked. I quote from page 42 of the Andersen report:

The current service agreement and global budgeting approach focuses Hospital Management on inputs rather than outputs. This funding approach does not provide any direct or explicit link between the level of funding provided and hospital output. Under the global budgeting approach, expenditure control is focused on inputs to the system that reinforce the use of existing practices, and encourages cost reduction strategies based on reduced outputs (i.e., through bed closure or theatre list reductions) rather than through increased operational efficiency to reduce per-unit expenditure.

That basically says, in a nutshell, that what the previous Government was doing, in focusing on inputs, just meant that we ended up with fewer and fewer beds, fewer and fewer people having minor and major operations, and larger and larger costs.

Mr Speaker, the role of the Government must be to provide clear, unambiguous direction for the future of our health system. The changes that need to be made will require leadership, teamwork and enthusiasm. This, also, has not always been apparent in the past. Today I will outline the broad direction that the Government will take. Our aim is quite simple: To provide a better, more accessible, more cost-effective health system and hospital care for the people of the ACT. To achieve this we will bring a strategic and analytical approach to the direction of service development and reform. It is this sort of strategy that is long overdue.

The reforms have already begun, I am pleased to say. As one of our first initiatives we established the new Department of Health and Community Care to take responsibility for health, and ageing and disability services. This will provide a more focused service delivery for the ACT and place a greater emphasis on continuity of care. Progress is also being made in negotiations with the visiting medical officers. About 20 per cent of VMOs have now signed contracts that are expected to lead to savings of more than \$2m in a full year. I said before, Mr Speaker, that we must be cooperative in our approach to health. Certainly, there has been very little cooperation with regard to VMOs in the past.

Mr Speaker, there are three key points to our strategy: First, developing a clear focus for our future directions; secondly, implementing the findings of the Andersen review on the efficiency of the ACT health system; and, thirdly, introducing casemix as part of our funding formula for Health. I will outline each of these in turn. First of all, as to our future directions, to achieve change we need to focus clearly on our future directions and the health outcomes we want for our community. The future directions for the Department of Health and Community Care are fivefold: First of all, to improve Health by providing a system that ensures continually improving health outcomes for the people of the Canberra region. Secondly, to improve quality of life by providing a health and community care system that maximises opportunities for people requiring assistance with daily living skills to enhance and enrich their lives and allow them to live as independently as possible. Thirdly, to improve client service and outcomes by providing quality health and community care services that are appropriately targeted and prioritised to achieve optimal health and quality of life outcomes that have a strong consumer focus and are

responsive to the specific needs of client groups. Fourthly, to improve and value staff effectiveness by promoting the development, participation and contribution of our employees, including doctors. Fifthly, to improve resource management by putting in place efficient systems for both human and financial resource management, accountability, infrastructure planning and investment in health technology.

Each one of these directions represents an objective in the department's new corporate plan, which will be released shortly. Mr Speaker, I am from the school that believes that corporate plans are simply not worth the paper they are written on unless they contain meaningful and useful performance indicators and outcomes. To this end, key strategies and performance indicators are currently being finalised by the department to ensure that we can achieve these five important objectives.

I turn now to the implementation of the Andersen review. In 1994 the review by Andersen Consulting outlined broad-brush comparisons and relativities with health services in other States. The report concluded that Woden Valley Hospital's total operating costs exceeded a representative group of New South Wales and Victorian teaching hospitals by \$26.5m a year for equivalent services. Our objective is clear - to achieve efficiencies and to reduce costs to a level that is comparable with other similar services nationally. As I said earlier, if we do not achieve that, then the money has to come from somewhere - community services, the environment, education.

Following the review, the department has implemented a number of initiatives. They include planning and performance improvement activities, financial management training, and information system improvements. A range of benchmarking activities have also been initiated, including the establishment of an interstate benchmarking partnership with a number of hospitals and also projects in this area, internal benchmarking projects, and improvement in information for managers about the expenditure and trends of what is happening in our hospital system. All these initiatives are designed to improve the department's approach to resource management. The key thrusts are better management of the annual budget and reducing the costs of providing ACT health services. The Andersen review also provided a general framework for further investigation of efficiency issues and broad directions for reform in Health to achieve lower costs and, importantly, to achieve better services - improvements in those sorts of areas.

Now it is time to implement the necessary changes. No longer, Mr Speaker, can we sit back and just hope that something gives, that something happens. We now have to get on with actual implementation. I have already announced that an expert team will be contracted to assist current health management in carrying out the reforms identified by the Andersen report. By contracting a small team with proven expertise in health management reform we believe that we can achieve lower costs and improved services. The team will identify areas for improvement, establish performance targets to be achieved within specific timeframes - not just in the never-never, but specific timeframes - and assist with implementing either the means of achieving these performance targets or alternative service provider arrangements. We have already sought expressions of interest from major consultancy firms and I expect the selection of a team before the end of May. Mr Speaker, that is before the end of this month. We are simply not sitting around doing nothing.

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The consultancy will involve the participation of staff and unions. I wrote to the Trades and Labour Council seeking union participation in the process to select and oversight the consultancy. Regrettably, the unions decided not to become involved in the selection process. However, I am hopeful that they will still become involved in oversighting the consultants. It is imperative that management, staff and unions work together to produce the reforms that will benefit everyone in the ACT, so that taxpayers can be sure that each dollar is spent to the best advantage.

The third key direction of this Government will be the introduction of a casemix-based approach to the strategic management and funding of health services. By a casemix approach I mean a focus on the outputs from our health system. Casemix-based funding has been introduced in a number of other Australian States already. We are therefore in a good position to take advantage of, and learn from, their experiences and mistakes. Implementation in the ACT will therefore be far more strategic than has occurred in other States. I should also point out that casemix will be one of a number of tools that we will use to achieve our overall objectives. A comprehensive discussion document has been prepared by Professor Don Hindle. Professor Hindle is commonly acknowledged as one of the foremost experts on casemix in Australia and overseas. He has provided extensive consultancy services in this area for the Commonwealth and for most State governments. I will present Professor Hindle's discussion paper to the Assembly at the end of my statement today.

Mr Speaker, the funding of service units on a casemix base will provide a key incentive to clinicians and administrators to examine the efficiency and effectiveness of their practices and to make the necessary improvements. Service units will be funded on the basis of what they produce, not merely for existing. They will be accountable on that basis. Casemix-based information provides the most relevant foundation for benchmarking available today. Provided that service units are given the right support, they will be able to review their performance critically and to make changes. The improvements will be about not only reducing costs but, more importantly, improving Health outcomes.

To illustrate this, there is a wide range of surgical procedures which have established protocols for best practice; that is, each patient coming in for these procedures has the same techniques supplied and the same diagnostic tests run. Even in these areas there is often considerable variation in costs which do not relate to improved outcome or quality of care. The variations in costs are often due to manageable events, such as preparation prior to admission, errors in theatre planning or poor discharge planning. Casemix provides the information and the casemix-based funding provides the incentive to address these variations and implement best practice. The approach to casemix outlined in this paper will help us evaluate how efficient we are in the ACT, not just in in-patient services but throughout our health system. The strategic application of casemix information will also be used to examine the usefulness of all of our procedures. For example, is the health system producing services with only marginal benefit to patients? We will be trying to establish whether resources can be directed to more worthwhile activities in Health. It will also be a tool to enable us to enhance the continuity of care.

A shortcoming associated with the establishment of casemix in other States is that casemix has been primarily a tool for funding hospitals.

**Mr Connolly:** Could you read that one again?

**MRS CARNELL:** Yes, that is right. Read the report. It has provided an incentive to discharge patients as quickly as possible without providing adequate support in community facilities or at home. Mr Speaker, I will be making a further ministerial statement later this week regarding the Government's commitment to continuity of care, including greater use of hospital-at-home programs. Casemix information is a tool we can use to evaluate the need for care at different stages of the patient's treatment and see how this can be provided as efficiently as possible. Our casemix approach will also help to improve the ACT's information and management systems. The patient will become the centre of considerations about what information is required and what decisions are needed.

I am announcing today that in the 1995-96 financial year casemix-based funding will be a central feature of more meaningful service arrangements with our two public hospitals, and in 1996-97 it will be comprehensively introduced within the department. Consistent with Professor Hindle's recommendations, we will use the 1995-96 year to plan the implementation of casemix for the following year, and it will be conducted in a consultative way. We will involve clinicians, managers and community groups in the implementation of casemix in the ACT, and, of course, members of the Assembly. As a start to this process, I have asked the department to hold seminars towards the end of May so that there can be full and informed discussions on this new approach. I look forward to talking about the approach outlined in the discussion document so that we can get on with the job of reforming our health system.

Mr Speaker, the initiatives and directions I have announced in this statement are but the start of the Government's efforts to reform ACT Health. It will not be an easy task, but it does have to be done. In the past two months I have attempted to keep members of this Assembly and the community fully briefed on the state of ACT Health and Community Care. I will continue with this approach as often as is possible, because we want to work cooperatively with employees, unions, this Assembly, and, in fact, every Canberran. That includes the members opposite who do not seem to want to be involved with anything. I understand that the Independents and the Greens are very keen to be involved. We are going about this approach and attempting to achieve real community consultation. I believe that we can achieve what we need to do. It is going to be tough, and the decisions are going to be tough as well; but they are decisions, I can assure you, that this Government is not afraid to make. I table the document and the statement, and I move:

That the Assembly takes note of the papers.

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**MR CONNOLLY (3.45):** I can assure the Chief Minister that members on this side are very interested and are keen to be involved in what is the most difficult issue of public policy that will ever face ACT governments, and that is the financing and provision of health services. I think that has never been an issue that is in question. Indeed, we are so keen to be involved that we keep seeking information. We want to know the basis of your claim that you have settled the doctors dispute and saved \$2m. We have repeatedly asked to see the schedules which exist. I know that they exist. I saw, when I was Minister, a breakdown of how we purchased VMO services up until we left office. I would like to see that list and I would like to compare it with the list of contracts that Mrs Carnell has achieved, or claims to be achieving, or hopes to achieve. As I said early on, if she can document a \$2m saving I would say, "Well done, but not far enough", because it is well off what Andersen says must be achieved. To date we have not had any information like that; we have just had lots of good intentions.

In relation to this statement, which is to be welcomed, it may allow us to put to rest something of a phoney war that has been going on about the issue of casemix. I would at the outset, though, make reference to what Mrs Carnell said at page 5 of her statement - I am pleased that she did so - about what has been done to date in implementing the Andersen review. In a flourish of rhetoric in a question time last week, or it may have been in a debate after question time, Mrs Carnell said, "and the Government opposite that does nothing did absolutely nothing to implement the Andersen review", which is nonsense. She would know it to be nonsense if she thinks about it. Her statement at page 5, where she lists what had been done in that first year, which is in the order of the way it should have been done, puts the lie to any claim that we did nothing to implement the Andersen review. We did, and I am glad that Mrs Carnell lists that there.

I said that this statement may provide an opportunity to end something of a phoney war because I was pleased to read Mrs Carnell's statements here about casemix. I particularly sidelined my copy of the speech and I said, "Hey, come again", when she read this statement on page 8:

A shortcoming associated with the implementation of casemix in other States is that casemix has been primarily a tool for funding hospitals.

Indeed. That has been the basis of our criticism. Casemix as a funder can lead to disastrous consequences. She then says, a couple of lines down:

Casemix information is a tool we can use to evaluate the need for care at different stages of a patient's treatment, and see that it is provided as efficiently as possible.

Indeed; we fully support you in that statement. That is why we spent money over the years to get the system up. I see in Professor Hindle's paper, although I have been able only to scan it, that he says, "The ACT has not spent as much as some other States", and there are a few reasons for that. He makes the point that we started later than others. We started in late 1991. Presumably, that is a criticism that we should have started earlier. I would remind members that we came to power again in only mid-1991. If there is a criticism that we started late on funding casemix, it is because decisions were not

made under the then Liberal Health Minister, Mr Humphries, to start that development work. Those development works were started, as I said in some debate this morning, in effect by Wayne Berry. That was when decisions were first made to start funding the information system.

This paper, again, seems a good opportunity to put this casemix issue to bed as a great issue dividing the parties, because in - - -

**Mrs Carnell:** It never was. You just made it so.

**MR CONNOLLY:** Indeed. I note at page 5 of Professor Hindle's paper some statements that very accurately reflect the views of one party in the last election campaign. Having discussed the debate about casemix, he says:

Much of the debate has reflected two common views, neither of which has much validity. One is that casemix-based funding is easy, and is the answer to all health care problems.

That remarkably reflected a lot of the rhetoric in the Liberal Party's election campaign. He continued and said:

The other is that it is undesirable in any circumstances.

Of the health spokespersons, only one of us has been guilty of one of these errors, because I have never been saying, and Labor has never been saying, that casemix is undesirable in any circumstances. Indeed, we funded the basic work on which this implementation process is going to be based. The criticism that some people have taken the view that casemix-based funding is easy and is the answer to all health care problems does, rather, reflect the naive views that were being put about by Mrs Carnell during the election campaign.

To the extent that we now have common ground between the parties, in Mrs Carnell's words, that casemix information is a tool that can be used to evaluate the process of delivery of care, we fully endorse Mrs Carnell in saying that. That is what we have always been saying. I see in this a significant move away from the naive view that casemix funding, as the mantra, will solve all the problems. The point is again made, and well made by Mrs Carnell, that a shortcoming associated with the implementation of casemix in other States is that casemix has been primarily a tool for funding hospitals. That is why we have always been saying that casemix as a funder can lead to disastrous consequences.

I see here a quite extensive and detailed critique by Professor Hindle about where that approach has caused major problems in Victoria - again, that is something that I have said in the past - and problems of a lesser order in some other States. He sets out here, in some detail, what will be done to implement the use of casemix as a tool to refine our delivery of health services in the ACT, and Labor will object in no way to that process continuing, because it is a process that we were setting in place - the use of DRGs, the Trendstar system, which is the basic package that will be running it. He is critical that

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perhaps we are focusing a bit too much on the costing issues, and not spreading it across the system; but then he also makes the point that Woden Valley Hospital really has been the big problem, the big cost driver, and it is understandable that a lot of the effort was put into looking at costs at Woden.

There really is not much of contention in this statement. There is an acknowledgment by Mrs Carnell that Labor had done basically all of the first year's implementation work in respect of Andersen, contrary to what she said in here the other day; but we will just put that aside as a rhetorical flourish rather than any attempt to state other than facts to the house. It is in the ministerial statement here that all would be done, and we had done it. There is a welcome breath of reality in the Chief Minister's rhetoric about casemix; an acknowledgment that casemix is but a tool, a very useful tool, in the health matrix. That being said, there is really nothing in the statement. It is a recital of what had been done in implementing the Andersen review. Again, I think it is common ground between the parties that that was the major and best look at Health in the ACT.

The only thing that is new in this is that, gee whiz, we are going to have another consultancy. Mrs Carnell, you made an awful lot of political capital about health over the last three years. You were constantly expressing shock and horror about the waiting list, and shock and horror about Health and individual cases; appearing on television at the bedside of individual patients; and saying that everything would be solved if you were to become Chief Minister. You are Chief Minister and Health Minister, and you are going to have to adopt a much more sophisticated approach now than the hollow rhetoric you adopted in opposition. It is encouraging that in this statement you are abandoning most of that hollow rhetoric you expressed in opposition. Your rhetoric about casemix while in opposition, and to some extent in question time and other forums here, has now become a very reasoned statement about casemix, pointing out that casemix as a funder is a major problem. Casemix as an information tool upon which you can then make decisions is very useful.

**Mrs Carnell:** That is not true. Casemix funding.

**MR CONNOLLY:** You can call it casemix funding in order to satisfy your political rhetoric, if you like; but the point is that you acknowledge here that if casemix is used just as a funder it is a problem; that casemix used as a management tool can be of great benefit and we should do that, and we agree.

At the end of the day, though, Mr Speaker, the worrying thing for the people of Canberra, who listened to the then Opposition Leader's rhetoric over three years and saw the great promises of 1,000 more patients and 50 more beds, all of this in the context of reducing funding for Health, in the order of some \$30m, is that in this document there is nothing that indicates that those issues are being addressed. What is disturbing, despite all the pleasant rhetoric, is the warning at the end about tough and harsh decisions that are to be made, presumably in the context of a budget which is yet to be delivered. That is the worry; that you have not indicated here how you are going to deliver what we always saw as undeliverable promises.

I welcome the statement, as far as it goes, in relation to casemix. The approach to casemix that is indicated here and in the paper of Professor Hindle appears to be a very sane, rational and sensible approach to casemix which is, as an information tool, an essential part of developing an efficient health system. As was set out in your statement and in the Hindle report, much work had been done on that under the Labor Government. Mrs Carnell, this statement perhaps settles once and for all the rhetorical nonsense of the casemix debate. You tried to say that we said, "No, no; never casemix"; and we certainly heard you as saying, "Casemix is the answer to all of our problems". The reality is, as you say here, that casemix as a funder can be a real problem, but casemix as an information tool is vital. We are able to support you on that. You can no longer hide behind that false rhetoric or false dichotomy of Government versus Opposition views. You now have to get on with the job of delivering your promises, and the only thing new in this report is yet another consultancy.

Question resolved in the affirmative.

### **TRANSPORT MINISTERS MEETING - PERTH Ministerial Statement**

**MR DE DOMENICO** (Minister for Urban Services): Mr Speaker, I ask for leave of the Assembly to make a ministerial statement on the Australian Transport Ministers Conference which was held in Perth on 21 April 1995.

Leave granted.

**MR DE DOMENICO:** Mr Speaker, I wish to inform the Assembly that the Transport Ministers of the Federal, State and Territory governments met on 21 April 1995 as the Australian Transport Council. The council discussed a number of important issues, the highlights of which were the progressive introduction of access to public transport for people with disabilities, the need for increased road funding, reforms in the road transport industry, and a possible reduction in urban road speed limits.

Ministers were pleased with the progress of interjurisdictional working groups addressing the national transport policy framework, where policy positions are being developed on competition and pricing policy, transport infrastructure and planning, and intelligent transport systems. These will be presented to future council meetings for endorsement as they are completed. Ministers also endorsed a national strategy to make public transport more accessible for people with disabilities and agreed to release the report for public information. The aim is to achieve substantial accessibility in all modes of public transport within 20 years, and the idea has the backing of the disabled community. The council has agreed that a working party will be set up to establish new standards. Once agreed to, those standards will be incorporated into new public transport vehicles as they are purchased. A separate working party will investigate the likely costs of these new standards and their effects on existing infrastructure. Both working parties will include representatives from local, State and Federal governments, as well as people with disabilities and the transport industry. The working parties are expected to complete their work within the next 12 months.

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Mr Speaker, turning to road funding, it was agreed that government at all levels faces a major challenge in funding maintenance of the existing road network and the expansion in the network required to meet increasing demands. This was something that Mr Moore alluded to in his remarks this morning. In response to this challenge, the States and Territories have initiated a review of road funding options. In the ACT, a long-term program is needed to allow our road network to expand to meet the demands of urban growth, particularly in the new areas of Tuggeranong and Gungahlin. This is in addition to the investment necessary to provide for the upkeep of our existing roads, most of which are now more than 20 years old. Once again, I need to let the Assembly know that we need to look at other ways of doing this. Light rail is something that I think Ms Horodny and the Greens have brought up from time to time as well, as did my predecessor, Mr Lamont.

Ministers have reaffirmed commitment to the implementation of a package of reforms in the road transport industry, to be implemented in advance of the national road transport legislation, being developed by the National Road Transport Commission. By 1 July of this year the following reforms are expected to be in place: Common national rules for mass and loading of vehicles; common roadworthiness standards; and improved productivity for B-doubles and other heavy vehicles. By the end of 1995 additional reforms will be implemented. These will include: Access permits eliminated for B-doubles on the mainland; abolition of mass permits for vehicles up to 42.5 tonnes gross vehicle mass; extension of national heavy vehicles driver licence to all drivers of vehicles over 4.5 tonnes gross vehicle mass; adoption of a uniform standard for the restraint of loads; and enhancement of one licence one driver protocol.

The Council also noted the National Road Transport Commission's progress in the development of legislation. Acts covering charges, vehicle operations and dangerous goods have already been passed by the Commonwealth Parliament. By July this year the majority of the national transport legislation for heavy vehicles will be developed, with the compliance and enforcement module to follow before the end of this year. This will include legislation and/or regulations covering restricted access vehicles, driver licensing and vehicle registration.

Mr Speaker, the ACT, along with Victoria and Queensland, will be among the first of the States and Territories to introduce common national charges in July this year. In the ACT owners of heavy vehicles will achieve considerable savings with the introduction of these charges. New South Wales and the Northern Territory have indicated that they will proceed when other States are ready to implement the national charges. The Commonwealth has expressed strong concern over delays by some States in this area and has reserved its right to address the issue by other means.

Buses and coaches which fully comply with recent Australian Design Rules will be allowed an increase of one tonne in gross vehicle mass to recognise the implications of improving occupant protection. Ministers also approved a standard for sleeping berths in buses and coaches used for two-up driving. By two-up driving, we do not mean that they are playing two-up while they are driving. It would be very difficult if you let go of

the wheel. Mr Speaker, the council also discussed possible reductions in speed limits to 50 kilometres per hour in residential areas, with Ministers agreeing to further consider the issue at the next Australian Transport Council for possible inclusion in the new Standard Australian Road Rules due to be introduced during 1996.

I would also like to report that, in attending this meeting of Ministers, I had the opportunity to obtain detailed briefings on progress in Adelaide and Perth towards restructuring and introducing competition to their public transport systems, consistent with the recommendations from the Hilmer report. While some good progress has been made, the issues are obviously complex and there is still a lot more to be done. However, Mr Speaker, the experience gained in those cities will prove invaluable for the ACT and ACTION as we move into a more efficient and competitive mode. I table the statement and I move:

That the Assembly takes note of the paper.

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

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

**MR OSBORNE:** I present report No. 3 of 1995 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. 3 of 1995 contains the committee's comments on eight Bills and one piece of subordinate legislation. I commend the report to the Assembly.

**GOVERNMENT'S BUSINESS DEVELOPMENT POLICIES  
Ministerial Statement**

Debate resumed from 2 May 1995, on motion by **Mr De Domenico**:

That the Assembly takes note of the paper.

**MS TUCKER (4.03):** Mr Speaker, I would like to make a few brief remarks about Mr De Domenico's ministerial statement on business development. Promoting employment and industry in the ACT does require a long-term strategy. We do want to be open for business, as the Liberals say, but we need to know what type of business we are encouraging. Mr Speaker, I was rather disappointed to hear that, as usual, green industries were added as an afterthought in Mr De Domenico's speech. Do we need yet another report telling us of the enormous potential for new jobs and export growth in the area of green business? Do we need another report telling us about ESD principles and the need to integrate them into all our policies?

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We need a comprehensive strategy to promote green industries in the ACT. Examples include alternative and appropriate energy; high-tech software development; information technology, which is particularly valuable in encouraging small-scale use of technology; ecotourism; rehabilitating and restoring disturbed and contaminated sites; the arts industry; and food production, possibly supported by a local wholesale market. We already have Revolve working in the waste management area. Support for the expansion of secondary resource management through the recycling estate will provide opportunities for hundreds of new jobs, as well as local industries and art and craft studios. Mr Speaker, the Greens have proposed a green business advisory council which would assist people in identifying new products and processes that reduce energy and material processes, develop sustainable practices and produce end products which are environmentally friendly. This council could also facilitate networks of green businesses and help with the marketing of new products.

As far as tourism is concerned, I look forward to looking at the draft tourism strategy in more detail. Obviously, we are very concerned that an appropriate code of practice or accreditation of tourist operators is given a high priority in this strategy. Ecotourism does not just mean limiting numbers and activities in our national parks. It also means looking at the overall impact of increased numbers of people visiting the ACT. Because of the stage of development of this city there is potential for the ACT to capitalise on being a model of environmental sustainability with energy efficient accommodation and other appropriate technology, a good public transport system, including the use of our bike paths, and urban villages. The quality of the information passed on to tourists greatly influences the quality of the experience, ultimately affecting the success of the industry. Once again, the Greens are stressing the necessity of an intersectoral approach. Science and education are important to the tourism industry. We recommend that the Minister, if he has not done so already, make himself familiar with the national ecotourism strategy released in March 1994.

The Minister referred to the need to examine all legislation and regulations which hinder competition in order to fulfil our obligations to the national competition policy. There are likely to be many benefits from increased competition and efficiency, and there may well be unnecessary red tape in the ACT. However, the reforms highlight the unrealistic assumptions behind economic policy-making, and the lack of comprehensive evaluation of social and environmental costs and benefits of proposals. I noted an article by Brian Toohey in the *Canberra Times* a few weeks ago questioning the fantasy-world increases in GDP and export volumes which it is claimed will follow from the reforms.

I would also like to read out a quote from a Commonwealth Parliamentary Research Service research paper titled "National Competition Policy: Overview and Assessment", which summarises very well some of the concerns the Greens share about economic policy which is prepared in a vacuum. The quote is:

The Hilmer Review makes no attempt to reconcile its policy framework with the ESD framework or broader concerns about its social implications. The Review would thus appear vulnerable to being criticised on the grounds that while the theoretical benefits of its procompetitive reforms are well enunciated, it fails to adequately address the “other side of the ledger”, in particular, the possible social and environmental cost outcomes of its recommended policies.

Mr Speaker, on the issue of regional and national reforms, the Greens are strongly supportive of regional economic strategies. As far as the regional economic development organisations are concerned, or REDOs as they are called, it is essential that they have much broader community representation and are not run just by industry and government, as is the case at present. If REDOs include a wide range of interests we are more likely to find innovative and environmentally and socially appropriate solutions to issues of unemployment, business and community development. We were delighted this morning to hear Mr Humphries use what was our slogan during the election campaign, “Lasting Solutions”. Lasting solutions can be achieved only if there is an intersectoral approach to all policy decisions, and we promote the type of economic development for this region which does serve our people and our environment now and in the future.

**MR WOOD** (4.09): Mr Speaker, we are debating Mr De Domenico's paper about what the Government is going to do for business. Perhaps one of the first things the Government could do, both for business and for the ACT in general, is to act in a more businesslike way. Thus far we have not seen a very strong businesslike approach in its operations.

In this paper there is some reference to the wonderful things that are going to happen on the Kingston foreshore, in the Kingston area. Indeed, it is rather more than the foreshore. They have not acted in an appropriate manner on this. Any business that acted in the way the Chief Minister and the Government have acted would go broke very quickly indeed. It has been hasty and no capacity to protect the interests of the company, in this case the ACT, has been shown. You would appreciate that, as Minister, I had three years or more in which, had I chosen to, I could have brought an approach to the Chief Minister and Cabinet to proceed to develop the Kingston foreshore. I did not do so.

The first thing I should say is that I would have taken an approach to Cabinet. The Chief Minister would have required that such a significant decision be taken by Cabinet. This decision was taken overnight by the Chief Minister and then, as we have heard in this Assembly, she informed her Ministers of what had happened. She took no advice from anybody; she gained no information from anywhere about it. It was simply an off-the-cuff decision made very suddenly. She castigated the Opposition a little about our approach to joint ventures, inferring that we did not understand what joint ventures are about. As Minister, I had responsibility for quite a number of joint ventures. They are now under Mr De Domenico's wing. I think that, over that time, I learnt a little bit about them.

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One of the things I did learn, and Mrs Carnell has not yet got this message, is that if the joint venturer is to pay for something the return to government will be less. If we require a joint venturer to undertake some work - the Chief Minister suggested clearing the site or getting rid of the contamination - that will be something that the joint venturer, the private sector, may do; but it will result in a lower return to government. There is a cost. These businesses are not philanthropic bodies and they will take that cost out of the return. The Government, the people of Canberra, will pay in the end. Mrs Carnell has quite a deal to learn.

Let us look at some of the problems I considered as Minister and which led me not to proceed at that time with such a proposal. The clearing of the site does not present a great problem. There are buildings there that can be demolished, I think, without some of the very heavy costs that the ACT Government will incur in clearing the hospital. Mind you, there is likely to be asbestos on the site. That will be a cost. The underground cables may contain asbestos, so there will be a cost. Contamination of the site will present a cost to the Government. We cannot anticipate what that cost might be because we do not yet know the level of contamination. There certainly will be contamination of various sorts. Just assessing that level of contamination is in itself a very significant cost, quite apart from clearing it.

Then we have the major cost of preparing that site - this is something that has not been mentioned; I do not think the Chief Minister was much aware of it - and restoring the Kingston powerhouse to some sort of use. I think the only knowledge of the whole site that the Chief Minister has is what she saw when she turned up for a photo opportunity there. I have been through the powerhouse and I have had quite a number of discussions about it. To get that into some sort of working order whereby it can have occupancy is truly going to be an immense cost, and it is one that we will gladly bear in due course. It is a heritage building and that cost will be incurred. In order to justify that cost, and to find the resources to do it, we need to be sure that that whole development occurs in a period of fairly high demand, and that requires proper timing.

All those costs that I have mentioned - the clearing, the contamination and the powerhouse restoration - will be borne by the ACT Government. If this were a businesslike government it would have negotiated - I should believe successfully - with the Commonwealth that the costs around the Government Printing Office would not be borne by the ACT; but Mrs Carnell gave that away very quickly. This is one joint venture where we could finish up paying developers to do something instead of getting some appropriate return out of it. There is no evidence at all, given the rapidity of the decision, that Mrs Carnell even asked the question of the Commonwealth, let alone negotiated with them about their responsibilities for their areas on that site. Nevertheless, all those matters could be overcome. They will, of necessity, be overcome at some stage in the future. They will be, because that site will be developed and it will be a gem in Canberra. I think Mrs Carnell's approach at this stage has made it all the more difficult for successful and good outcomes to occur. Those were not the only reasons why I declined to take some action on Kingston.

Let us look at what will go on at that site. Let us look at what the international competition will bring out. There will be, it is expected, commercial development on that site - office spaces predominantly. There will be office spaces on that site. In the past it has been easy to get things under way by offering office accommodation, but those times have gone. We have a surplus of office accommodation in the ACT right now. Because of the acumen of the business sector, it is not a very large surplus of office accommodation. The business sector has been a lot more canny about it than our Chief Minister, but there is a surplus. There is no projected heavy demand in the future for office accommodation. Not only that; under the terms of our plan, our principles of dispersed development in the ACT, we would be looking for more office accommodation elsewhere. Mr De Domenico now may change his mind; but we would be looking for more office accommodation in Tuggeranong, we would be looking for it in the new town area of Gungahlin, and, of course, there are vacancies at the moment in Woden and in Civic. I cannot see, and I could not as Minister, a projected demand for office accommodation of the size needed to finance the Kingston project for a long time to come.

There would also be retail development. That would be a good factor to provide some part of the financing for the Kingston foreshore development. But what is the demand for retailing now and into the future? We have this Government telling us, and certainly telling the people in Tuggeranong, that we do not need any more retailing space. A retail study that is about to be released, I expect, might tell us that that is the case. Certainly, we have ample retail space at the moment. So, where are we going to have, into the foreseeable future - I am thinking up to the end of the century - such a high demand for retail space that it can be a very substantial part of the funding of this area?

Look at the proportion of cultural space that might be incorporated into the Kingston development. A lot has been said about that, and it seems that it needs to be a significant part of that proposal. The Chief Minister has made something of it. In the same speeches, and in other speeches, she has also said that Civic is going to be the cultural heart of the city; that we are doing wonderful things with culture in Civic. Certainly, there is the theatre development, and there is the cultural and heritage centre development, and they are important. What cultural facilities are we going to have in Kingston in the next few years? (*Extension of time granted*) I am the first to support an expansion of cultural facilities. Who is going to provide the new galleries, perhaps, or the new theatres that we would seek to go in there? That demand will come, but I think that any clear thinking person would see that that is a long time into the future yet. So, in those areas - cultural, retail and commercial - I cannot see where we will find partners in joint ventures who agree that they can put in substantial amounts of money to fund that development.

There is a demand for the other component that will be part of Kingston, and that is residential. It would be highly attractive for residential development. We have a slump at the moment, but that will pass rapidly enough. In the time that anything will be built, yes, I certainly can see that you could have a very saleable residential area. But that is to be only part of it, I understand.

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There is a fairly long timeframe before the gem that Kingston will be will become sustainable. By all means go ahead with this international competition. It will bring good ideas, I am sure. But do not expect that we will be able to implement anything very rapidly. I think Kingston is a development that will proceed towards the end of this decade, at best. The Chief Minister has not got it off to the best start in the world and will have to come from behind to catch up on the disadvantage in respect of the Commonwealth responsibilities there; but, in terms of planning, we can recover. In terms of what goes on there, we can recover; but, if the Chief Minister continues to advance this development at the pace she has, what could have been a wonderful thing for Canberra will become something less than it should have been, and that worries me.

There is one other aspect in Mr De Domenico's paper that I will comment on, and it is the increasing competition around the States for business. We have seen Mr Kennett looking to raid the ACT for businesses. I do not know that that was very successful. We have heard Mr Carr in New South Wales say that he is going out there to get business. We have had understandings amongst States, agreed to by Ministers, that we will open up tendering arrangements to competition from all over Australia, and that probably has been a good thing. In the last term of her Government, Rosemary Follett, as Chief Minister, introduced a new Supply and Tender Agency that was to try to encourage local businesses, to see that they all have every opportunity to tender for our business, and that was good. That was just one of a large number of initiatives that the Labor Government took in support of business.

We did not go all the way, as some States have done, in providing incentives to private business. We did not do that. I would see that land was made available, but it had to be purchased. We did not make enormous concessions to business to come to Canberra. We provided them with every assistance we could to come to Canberra, but we did not provide the most direct of subsidies that some States do. It may be that we have to review some of our approaches in this respect. We may have to look again at it to see whether we are doing all we possibly can, in view of the aggressive nature of our neighbouring States, to attract and hold businesses to the ACT. I think that is a matter for review in the future.

**MR DE DOMENICO** (Minister for Urban Services and Minister for Business, Employment and Tourism) (4.24), in reply: Mr Speaker, the new Government has been in office for just a short time, yet we have clearly demonstrated our determination to honour our pre-election commitments. My statement to the Assembly last week mapped out some important aspects of the Liberal Government's agenda, and we are progressing quickly with implementation of our policies. I would like to reiterate that we will be seeking to stimulate economic growth and to ensure a promising future for Canberra in partnership with the business community and, indeed, the community as a whole. With this in mind I will look forward to working cooperatively and productively with members of the Assembly towards achieving the common goal of creating a competitive and prosperous business environment for the benefit of the whole community. In the short number of weeks we have been in government I have met and listened to many individuals, businesses and organisations. The enthusiasm and commitment being shown by these organisations is extremely heartening. I will ensure that the Liberal Government will harness and support this enthusiasm with sensible and proactive policies and programs.

We have already begun the process of creating an environment that is conducive for investment. I will, for instance, be meeting later this week with Mrs Elizabeth Whitelaw, chairperson of the red tape task force I announced last week, to begin this important regulatory review initiative. I have also recently approved expenditure to begin filming a series of up-market television commercials which will be central to an intensive marketing campaign being planned by Canberra Tourism's locally-based advertising agency, Grey Advertising. This underlines the fact that we have hit the ground running and we are serious that Canberra is now open for business. We are in the process of implementing our pre-election commitments, and I look forward to informing the Assembly in due course of the many initiatives we will be undertaking.

Mr Speaker, I need to make some comments about the contributions made by Ms Tucker and Mr Wood. It was a contrast of contributions. Whilst we might not agree with all that Ms Tucker had to say, she certainly made some interesting comments and she gave some constructive criticisms. I could not agree with Ms Tucker more when she talked about green industries. I took notes when she was talking about that. In my mind I went through the things that I am aware of in terms of green industries in the areas of my responsibilities. Mr Speaker, I think the Assembly should know what ACTEW, for example, has done in terms of energy. I note that Ms Tucker was at the opening of some energy efficient houses at Gungahlin some weeks ago. ACTEW is heavily involved in that side of things. ACTEW also is involved in using grey water, for example, at Southwell Park to water various areas.

**Mr Wood:** We did a good job with that, did we not?

**MR DE DOMENICO:** These initiatives were commenced by the previous Government. ACTEW is involved in that already. I am aware of the initiatives in the Parks and Conservation area of my responsibility as well, in terms of what has been happening with greening industries. I note that there are worm farms now being tested by the Government. Ms Tucker, I am sure, is aware that the Government is very interested in the high-tech area, as was the previous Government, and we have the blessing of some very fantastic smaller high-tech companies here in the ACT. I note that recently we announced the bid for a multi-meter communications industry here in Canberra as well, which will, hopefully, be funded by Commonwealth Government funds.

Both sides of the house have talked about the potential in terms of markets and transporting things like vegetables and flowers and what have you from an international air freight capacity at Canberra Airport. I think Mr Kaine's committee will shortly be looking into the possibility of that. I note that a lot is being done in the area of waste management. It was initiated by the former Labor Government; but it is continuing, and that is all good stuff. I also note that there have been some things said in this place at other times, when I and other people were on the other side of the house, about the benefit of recycling estates.

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In the area of tourism, Ms Tucker talked about red tape and competition. She mentioned the social and environmental costs of things like competition. I also made a note saying, "What are the social and environmental costs of not introducing competition?". We need to look at the other side of the equation as well. I was also pleased to note the comments made by Ms Tucker about the importance of the region and not just the ACT itself. I think we need to realise the importance of the region in terms of economic development, marketing tourism and green industries. That was one side of the remarks made.

On the other hand, Mr Wood, in his contribution, spoke mostly about the Kingston foreshore. When he spoke about the Kingston foreshore he spoke about the costs and the downside. I did not hear anything positive from Mr Wood. He concentrated on the negatives of the Kingston foreshore, and he gave us reasons why in the four years that he was in government he did not make a decision. Mr Wood, within seven weeks of being in government Mrs Carnell at least has stood up in this place and has made a decision.

**Mr Connolly:** It was hasty, ill-considered, and against the Territory's best interests; but it was a decision.

**MR DE DOMENICO:** I am always interested in the peanut gallery contributions when they come forward. I am pleased that they say things like that. Mr Wood got it wrong once again, and the chirpers on that side of the house, getting behind Mr Wood, have got it wrong as well. There was consultation with Cabinet colleagues, Mr Wood.

**Mr Wood:** Yes, afterwards.

**MR DE DOMENICO:** No; you have it wrong. I know that being where you are really hurts you, Mr Wood. Mrs Carnell, before she made the decision, consulted me, and I know that she consulted the other two members of the Cabinet as well.

**Mr Berry:** Afterwards.

**MR DE DOMENICO:** No, Mr Berry. You were not here, Mr Berry. You just keep going.

**Mr Berry:** Afterwards.

**Mr Connolly:** We will be checking *Hansard* to see what Mr Humphries said.

**MR DE DOMENICO:** Just keep flicking through the papers there. You will be right. Do not worry. Just keep flicking through the papers. Do not interrupt. Let me tell you what the truth is because you like to hear the truth. The truth is that Mrs Carnell did really consult with her colleagues; so, you are wrong, Mr Wood.

**Ms McRae:** About the asbestos and about the contamination, yes, sure.

**MR DE DOMENICO:** We will talk about the Kingston issue at length if you like. What Mr Wood is standing up and telling this house is that he cannot trust Paul Keating. He does not trust Michael Lee and he does not trust the Chief Minister. I would like to know whom the Labor Party trusts. Certainly, the community did not trust them. We all know what the community did on 18 February - it gave them a complete and utter shellacking. That is what it did. The community did it at the Federal election as well. Mr Wood, what you have to realise now is that you should not knock, knock, knock all the time. If there is something about which you can say, "Well done" to someone else who does something, say so. Mr Wood's speech was made up of knocking the Kingston foreshore and telling us why he did not take any action. To be honest, Mr Wood, we are not interested in why you did not take any action. You did not for 4½ years, and, thank God, you are not going to get a chance to take any action in the future.

Mr Wood talked about retail space and said that the Liberals said that we do not need more retail space. The Liberals did not say anything of the sort. What the Liberal Party said was that we need to test whether there is a requirement for retail space. We need also to find out where it is required, what size is required and when it is required. We went out to the community and asked, "What is your view?". Mr Wood, in 4½ years, called for a report; but he did not release it, probably because he did not like what it said to him. Once again Mr Wood stood in this place today and told us why he did not make any decisions in 4½ years. Mr Moore and others have noted from time to time that Mr Wood is renowned for not making decisions.

Not once did I hear Mr Wood talk about small business or unemployment. He concentrated on knocking the fact that we had made a decision, a visionary decision, and he talked about how nothing is going to happen for a long time. Of course nothing is going to happen for a long time; but this Government, and Mrs Carnell in particular, had the foresight to at least make a decision, a decision that Mr Keating put his name to and a decision that Mr Lee put his name to. Once again we did not get any plausible alternatives from the people opposite; it was just knock, knock, knock, and an individual attack on Mrs Carnell. There was nothing positive.

Mr Speaker, this Government, in the seven or eight weeks that it has been in power, has given the right message to the business community, and that message is that we will make decisions. We will take the community with us when we do make those decisions. We will definitely take the rest of the members of this Assembly with us if those decisions are commonsense decisions. We will not knock individuals. We will go ahead and do the job that the electorate has elected us to do, in consultation with whoever wants to consult with us, and we will continue to consult. I can say one thing to the members opposite: Please take heed of what the community said on 18 February. Get out there in the real world and ask the people what they want you to do. What they do not want you to do is to come in here and knock, knock, knock for the sake of knocking. We want positive contributions. We would be delighted to accept positive contributions.

Question resolved in the affirmative.

## ADJOURNMENT

Motion (by **Mr De Domenico**) proposed:

That the Assembly do now adjourn.

### Community Aid Abroad

**MS TUCKER** (4.35): Mr Speaker, I would like to draw the attention of the Assembly to some of the work being done by the Canberra office of Community Aid Abroad. While Community Aid Abroad probably is best known for the work it does overseas and in Aboriginal Australia, it also runs a variety of participatory activities presented by CAA staff member Meg Hyde and a small team of actors and committed volunteers who work tirelessly to help educate kids of all ages in our Canberra schools about aid and development issues. Obviously, Community Aid Abroad cannot continue to do this work without money.

Community Aid Abroad has come up with a great idea that raises a considerable amount of cash while keeping hunger away from Canberra workers. They cook and distribute takeaway African lunches to Canberra office workers in both the public and private sectors. The advantage of having the Greens in the Assembly is that not only will you have the privilege of listening to our new and innovative ideas but also you will have the opportunity for the first time to taste one of these fantastic meals. For only \$8, \$5 of which will go towards helping Community Aid Abroad continue their local education work, you will receive a fantastic African lunch, either meat or vegetarian, delivered to you here in the Assembly building. The lunches will be delivered on Monday, 5 June, and they take only a few minutes to heat up in the microwave. They will, I can assure you, be delicious.

The vegetarian meal includes shiro wat, kachumbari and maharagwe, which is a blend of banana and vegetable stew, with fragrant tomato relish and spiced beans, served on a bed of rice. The meat meal includes a spicy meat dish with vegetable stew, delicious tomato relish, beans and rice.

**Mr De Domenico:** Is it BYO?

**MS TUCKER:** Sure. Community Aid Abroad is Australia's oldest and largest aid organisation. I urge all members and staff to get behind the work of this great organisation and buy a lunch on 5 June. You can order now by contacting Jonathan in my office.

**MR SPEAKER:** Ms Tucker, I will check *Hansard* later to see that there was nothing out of order in what you said.

### **Opposition's Approach to Government's Actions**

**MR KAINE** (4.37): I have been rather disappointed since the Assembly reconvened last week in the negative approach that has been taken by the Opposition. I referred in the debate this morning to the fact that they are very negative. They do not see anything positive in anything that the Government does. I exhorted them to examine the Chief Minister's statement to find at least something that they could agree with. I exhort them also to look at the budget when it is brought down. I am sure that they will find some goodies in there if they look deeply enough.

Not everybody in the world, however, is a knocker and a complainer. I would like to read a letter which the Opposition might take as an example of finding something that you can compliment people on when they do the job right. I would like to read this letter for the edification of the members opposite, Mr Speaker. It is from an elderly gentleman in Curtin and it is addressed to the Chief Minister. He says:

Madam,

I wish to thank you for your prompt action on my behalf in regard to my letter of 18 April 1995 requesting assistance in removing trees from my neighbour's house which were overhanging into my backyard.

This also compliments public servants. It goes on:

I wish to praise the thoughtfulness and help shown to my wife and myself of Mr Paul Blinksell of the Corrective Services Office.

The team sent to cut and trim the trees were very good and despite their limited equipment were able to clear about ninety per cent of the overhanging trees. They also assisted me in trimming some trees in my yard.

The next paragraph relates to a neighbour and I will not read that, but the final paragraph says:

Again, many thanks for your help and it is great to know that at long last we have a Chief Minister who acts instead of sending a letter full of promises and does "Sweet Fanny Adams".

Yours sincerely.

The Opposition may take that as a little lesson in looking for things that people do right, and complimenting them when they do them.

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### Government's Tactics

**MR WOOD** (4.39): I want to comment on this tactic of the new Government. They have changed dramatically since they crossed over to the other side. You, Mr Speaker, I am sure quite impartially, have been calling us to order if I or others interject. We sat on the government benches for three years and no-one interjected more consistently, persistently and noisily than Mr De Domenico. Day after day in this Assembly he interjected. Mrs Carnell was not far behind. The other day I saw Mr De Domenico put his hand out and restrain his Chief Minister. Clearly, the Liberals have a tactic that, in government, they want this Assembly to be a quiet and orderly place. When they were in opposition they set out to be as disruptive and as noisy as possible. Now they are in government they have another standard. This Liberal Government is full of double standards. We have seen the same thing in the last few days. Again Mr Kaine raised it.

**Mr Kaine:** I take a point of order, Mr Speaker. To accuse somebody of having double standards is surely unparliamentary. I find it objectionable and I hope that you will have it withdrawn.

**MR WOOD:** I do not think the Speaker will want - - -

**MR SPEAKER:** It was a statement made in a collective sense and I therefore do not uphold the point of order. If it were made to an individual, Mr Wood, it would be out of order.

**Mr Hird:** I raise a point of order. I seek your guidance, Mr Speaker. Is the honourable member out of order in challenging the right or the protocol of the former Speaker? Is that out of order too?

**MR SPEAKER:** Unfortunately, the Chair cannot recognise your comments because there are no honourable members in this chamber, just members. Please continue, Mr Wood.

**MR WOOD:** Let us look at the other tactic, and it is consistent with these points of order that are being raised. It is to stand up and accuse the Opposition constantly of knocking. What did Kate Carnell, as Opposition Leader, do for nearly three years? She stood in that spot day after day and never stopped carping. I am sure that the Liberals have sat down in their party meeting and have said, in front of the Independents here, on whom they rely for support, "We will present the Labor Party as negative, as being totally unable to come up with fresh ideas". There clearly is a tactic to keep this new Assembly quiet and orderly, as distinct from what they did in the last Assembly. I see what they are doing. I will continue to be as quiet in my interjections as I was in three years, and you will acknowledge that, unless I become disturbed about this tactic of theirs. Mr Speaker, I do not like the double standards of the Liberal Party.

Question resolved in the affirmative.

**Assembly adjourned at 4.43 pm**