



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

10 May 1995

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

EDUCATION (AMENDMENT) BILL 1995

MR MOORE (10.30): Mr Speaker, I present the Education (Amendment) Bill 1995.

Title read by Clerk.

MR MOORE: I move:

That this Bill be agreed to in principle.

This Bill is intended to promote fairness in decisions regarding the suspension, compulsory transfer, expulsion or exclusion of students from any school in the ACT. It does not prohibit the expulsion or exclusion of students following a fair process. This Bill was originally tabled in 1992 and remained on the notice paper for 1993 and 1994 in a slightly different form.

In presenting this Bill again, I am intending to give students and their parents access to a basic right enjoyed by all in our society, outside of the defence forces, perhaps, and some independent schools - the right to appeal against a decision made by others that may have a lifelong effect on one's future. In order to achieve this, the Bill sets up a board of review, the composition of which reflects the interests of the students and the government and independent schools; in other words, an external review process that allows a relatively detached and factually-based consideration of what is often a contentious issue affected by personal perspectives and antagonisms. An important principle underlying the Bill is the idea that, by publishing the results of the review by the board, schools will be encouraged to make decisions in as fair a manner as possible.

Expulsion from a school is not a minor incident in one's life, especially if it occurs in the critical Years 11 and 12. Although I believe that the decision to expel should never be taken lightly and that in some cases it may be the only alternative left to a school, it is an action which signifies defeat; that is, the behaviour exhibited by the student has not been seen as symptomatic of a problem - either the student's or the school's - and this problem has not been dealt with. By expelling a student, the management of that school is merely shunting the problem away, unresolved.

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I am aware that the government school system already has an appeals mechanism and that its policy on student management provides sound mandatory procedures for transfer, exclusion and expulsion. I am very pleased and proud that these procedures are part of government school policy. I also applaud the Catholic system's move to put an appeals board into operation. However, this leaves quite a few schools with no appeals mechanism. They appear to be setting themselves above the law and legal processes. The board of review proposed in this Bill will have the capacity, upon application by a student or parent, to examine the decision made by the school, to determine whether or not it was fair and to remit for reconsideration any decision that was considered unfair. This Bill represents the culmination of extensive public consultation which took place in 1992. In September 1992 an exposure draft was circulated to all schools and relevant bodies for comment. This Bill has substantially the same effect as the exposure draft that was circulated but has been simplified and further revised to make its language a little easier to understand.

Responses at the time to the exposure draft ranged from eager support - from government sectors and certainly from students, from both government and independent schools - to outrage and indignation from some independent executives. I find it interesting that the most outraged of responses in the past have come from the very sectors that purport to offer the highest levels of education. They are certainly the most expensive. They would deny their own charges a basic democratic right - the right to challenge a decision that will severely affect them for many years to come. Does this same educational philosophy then demand unquestioning acceptance of a curriculum and educate young people to be submissive and not to defend themselves? There is a fundamental question here, Mr Speaker, about the way we see education. I would have thought that the members of this Assembly, as part of their view of education, would hold very high the educating of young people about what is involved in their democracy and their justice system.

Mr Speaker, even when a Supreme Court judge makes a decision that will have a major impact on somebody's life, such a decision is open to an appeal process. That appeal process often finds that the decision was appropriate in the first place. I would accept that, should this piece of legislation be adopted by the Assembly - and I hope that it will be considered in a more calm and open way by this Assembly than was the case with its outright rejection by the previous Assembly - - -

Mr Berry: It was not rejected. You did not bring it on.

MR MOORE: Mr Berry says that it was not rejected. That is correct. In fact, the Bill was never brought on for debate because, from discussions that I had personally, it was quite clear that the numbers were never there. But it is quite appropriate to say that the Assembly did not reject the Bill. I would hope that this piece of legislation would be considered - - -

Mr Berry: We never opposed it. There were eight of us. It needed only you.

MR MOORE: Mr Speaker, I see that the Labor Party still has an open mind on it, so I am delighted. Perhaps I misjudged the climate at the time and could have had another piece of legislation carried through the Assembly.

Mr Berry: I am surprised that you would miss the opportunity.

MR MOORE: Mr Berry says that he is surprised that I missed the opportunity. He is not as surprised as I am.

It seems to me, Mr Speaker, that this would form part of the education of young people about how our democracy works and the sorts of rights that young people actually have, and should have, in our system. Before those who would scream “interference in autonomy of schools” jump up and down, I must add that I do understand that some expulsions are necessary. This action is sometimes the only one left to schools in a situation that has become untenable. The schools, as a last resort, having tried a whole host of positive disciplinary actions, are left with expulsion as the only logical choice of action. These schools would find, if a student lodged a complaint, that the proposed board of review would ratify the decision made by the school, and would do so publicly. However, if a school expels a student without going through procedures that are deemed by any reasonable person to be fair, the board of review would just as publicly set aside the decision and remit the decision for reconsideration by the school.

Under this legislation, although the name of the school and the date of the decision would be identified when published for public information, the name of the student would not be. The intention underlying the provisions in the Bill allowing this action is that the prospect of publicity should encourage schools to make decisions in as fair a manner as possible. On the other hand, it also protects the young from the ramifications of a range of publicity. Mr Speaker, notions of fairness vary from person to person. This Bill, therefore, lays down guidelines that the board of review must take into account. It is not acceptable for any school to set itself above the normal law and legal processes. In the past, students from independent schools have been expelled without any recourse and were denied their right to what I consider natural justice and a fair hearing. Indeed, Mr Speaker, it was a particular situation in one of the schools in Canberra in 1992 that motivated this particular Bill in the initial instance. They were entitled to reasonable punishment consistent with the general community's sense of justice. More importantly, they were entitled to be taught that their behaviour was unacceptable and to be encouraged to behave more positively.

It is appropriate that young people recognise that there are consequences to their actions. At no stage, Mr Speaker, does this Bill take away the need for young people to recognise that they are always responsible for their own actions. Parents have the right to test evidence used to determine whether it was gained under duress and to examine the disciplinary procedures that were put into action before the decision to expel was made. This Bill will have the effect of ensuring that schools adhere to procedures that are fair and that can stand up to scrutiny by an independent board. It is my sincere hope that this board of review will not have to be convened; that the possibility of a review will ensure a just approach to a disciplinary problem. In fact, Mr Speaker, it has been the case that, since this legislation was tabled in 1992, not a single situation of unfair dismissal of a student from a school in the ACT has been drawn to my attention. I am aware that there were a number of dismissals in the period; but, quite clearly, they had gone through an appropriate process.

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The very fact of the legislation being tabled, I believe, had a positive effect. It would have a much more positive effect, Mr Speaker, if this legislation were passed by the Assembly and put in place. There will be no cost to the community from the structure of the legislation. The board would simply be convened at a time when it was necessary. The Bill is basic to democratic principles. It gives students in all schools the same right that they can expect in all other sectors of our community - the right to be treated justly and with fairness. Mr Speaker, I commend this Bill to the Assembly.

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

SMOKE POLLUTION - FUEL REDUCTION BURNS

MR BERRY (10.41): I move:

That this Assembly regrets the failure of the Minister for the Environment, Land and Planning, Mr Humphries, to establish a coordination arrangement with the relevant NSW authorities to reduce the impact of smoke from necessary fuel reduction burns in the South East region of NSW, despite his promise to do so on 31 March 1995.

Mr Speaker, this motion arose from smoke pollution in the Territory. I understand that there are some historical events which have given rise to the issue. The fires in New South Wales in 1994 give an added emphasis to the need to look out for fire safety, in rural areas in particular, but also in bushland areas impinging upon built-up areas, because of what occurred in Sydney. There has been a move towards reducing fuel in those areas as a means of promoting fire safety. There is an argument about whether the reduction of fuel in forest areas is the panacea for fire safety, whether it is a sound environmental practice, and so on. That is an argument that will go on.

I think there is a big question mark about burning off being the panacea for fire safety. Nevertheless, it is something that will occur, and the debate will go on between people who will support the approach of burning everything in the path - the blackened fields approach - and those who argue that there ought to be no burning off. That is an issue that has to be dealt with, but it is not the issue that I want to deal with here today. My issue is about inaction. When this occurred on 31 March, people were surprised at the density of the smoke which polluted the ACT from the fuel reduction efforts which were undertaken south of Wee Jasper. It is understood - according to newspaper reports anyway - that the fire broke through some control lines. That was quickly contained. Nevertheless, it was a fairly significant fuel reduction, or back-burn, and at the end of the day a quite dense pall of smoke descended upon the ACT. As we all know, at this time of year there are problems with the temperature inversion layer, which keeps the smoke down low and affects people more seriously as a result.

We hear the continuing complaints of people who have breathing difficulties or other maladies caused by the increased smoke in the environment. Mr Humphries, as the Minister responsible in this case, was once the Minister for Health. He would know about those problems and about the increased irritations and sensitisation due to this smoke.

He would also know that there is a need to reduce the fire hazard. It is a relatively new thing. In the past we have been affected by smoke from bushfires. There is not much we can do about that. They are not planned occurrences. But, now that there is going to be an increased emphasis on this fuel reduction in the surrounding area, we need to take action. It is not something that we have had to deal with before to any great extent, but it is something that the Government is going to have to deal with in future.

My concern is that, whilst the Government knew that this was going on, Mr Humphries did nothing. On 31 March, according to the *Canberra Times*, Mr Humphries said that he would require greater notice if New South Wales fire services again considered a burn-off of such magnitude. I do not know what power Mr Humphries has to require this. I suspect that he has no power to require it, so it is pretty much a pompous statement; nevertheless, it is an indication that he was aware of the problem. The newspaper report went on to say:

In the future we would like sufficient notice from the authorities to enable us to warn people, particularly those with special health requirements.

You read the newspaper and you think, "The Government is onto it. So, we can expect that they will do something in the future, in consultation with the relevant New South Wales authorities". That is where people would be disappointed, because, apparently, Mr Humphries did nothing. I think that shows an appalling disregard for the ACT community. It seems as if there was no interest until the smoke pall again descended on Canberra, about a month later. It seems that then the Minister took an interest in the issue and did something about it.

In circumstances where this had been an ongoing problem, I think a motion from this Assembly would be harder hitting. The motion that I have moved today merely notes the issue and regrets the failure of the Minister for the Environment, Mr Humphries, to establish that coordinating arrangement with those relevant New South Wales authorities that would be necessary to at least develop some sort of a plan so that, for example, we do not have two New South Wales authorities conducting a major burn-off upwind of Canberra at this time of year, giving us that particular problem. We know about the difficulties of finding the correct day, the correct weather and so on; but those experts in meteorology - - -

Mr De Domenico: In Tuggeranong - they have some experts there, too.

MR BERRY: Those experts in meteorology out there in New South Wales who are conducting the burn-offs need to be involved in some sort of a consultative process. I heard Mr De Domenico interject, "In Tuggeranong". It has nothing to do with Tuggeranong. We are talking about burn-offs which - - -

Mr De Domenico: Yes, it has.

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MR BERRY: Hang on a minute. You interjected, and you were not pulled up; so I will take the opportunity to respond. The fact of the matter is that it has nothing to do with the sorts of things that you are going to raise. This is about New South Wales authorities conducting burn-offs and the failure of an ACT Minister to deliver a consultation process which he promised. That is what it is about. Of course, Mr Humphries will leap to his feet shortly, I suspect, and moan about a press release that I issued about saving trees in Tuggeranong. We know that Mr Humphries has the old chainsaw in his pocket and he is targeting those trees and down they will come, without looking for some sort of a suitable alternative site for measuring pollution in Tuggeranong. Measuring pollution is not going to be of much help if Mr Humphries does not get on his bike and talk to the people in New South Wales about dealing with the issue of the coordination of burn-offs in that State.

This important issue has to be dealt with by the Minister. There is no sign that he took any action early in the piece, and that is the problem. It was a serious enough problem to warrant the Minister making some strong statements on the issue to the *Canberra Times*. They were reported widely. The community would have been misled into thinking that Mr Humphries was doing something; but they would have been extremely disappointed when they found out that nothing had been done, that no work on the subject had been done by Mr Humphries's office. What had you done? Nothing.

Mr Humphries: You will find out.

MR BERRY: We will be better informed in a moment, it appears. Mr Humphries might well, then, tell us why it took him almost a month to do something. That would be interesting. Did he have a broken leg? Was he off sick? Was he off on holidays with the rest of you? It was not as if you had too much to do; you were sitting around waiting for Mrs Carnell to make up her mind on the budget. She made up her mind on that score: No budget yet.

If Mr Humphries can come up with a good excuse for not doing anything, that will be very interesting; but I think the Assembly has an obligation to draw attention to the failure of a Minister to deliver what really was a little promise, that was made publicly, on an important issue which affects the atmosphere in the Territory. We all have to breathe it. If at the end of the day there was in place some sort of a consultation process, one could expect that, in the case where it could not be avoided, there would be adequate warning that a burn-off was going to occur in New South Wales and that there would be serious pollution as a result. When this occurs during the day, you can stop people engaging in physical activity and keep them indoors, away from the polluted atmosphere as much as possible. This very simple procedure could have been arranged by means of a few phone calls, on about 31 March 1995, between Mr Humphries's office and the relevant Ministers in New South Wales, and there could have been a better outcome. But there was no evidence reported that anything was done in those days. So, I think we are entitled to attempt to express regret about the failure of the Minister to take the necessary action to put in place some sort of a procedure which would have dealt with the problem we were faced with a month later. That is not to say that it could all have been done within a month. These things take time.

There was an election recently in New South Wales and a new government was formed and so on. But this is really about people taking ministerial responsibility for these things. The community deserves better than having somebody stand up and say to them, "We will do something", and then not do it. After all, they pay the freight, they pay the wages. When there is a flock of Ministers sitting around doing not much, I am sure that they would expect that these sorts of simple tasks would be addressed with great gusto, because they would have had lots of energy left over to deal with these important issues.

I will leave the matter there, Mr Speaker; but I think we deserve at least an explanation for why nothing occurred, as far as public reports are concerned, up until the time of the second blanket which descended upon the Territory. Mr Humphries might explain why he was so busy that he was unable to do anything.

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (10.55): Dear, oh dear, oh dear! Mr Speaker, we had a debate last week about people coming and seeing what happens in the Assembly. I am awfully glad that there were not too many people in the gallery. I see that there is a school group in the gallery. I hope that they do not judge the standard of politicians or politics in the ACT purely by what they have just seen from Mr Berry. It is extremely sad that we have to go through such a tawdry and unproductive waste of, presumably, an hour or so's debate on this matter.

Mr Berry: Why did you not do something?

MR HUMPHRIES: I did, Mr Berry; and if you wait patiently you will hear all about it. Mr Speaker, this really is an absolute and utter waste of the Assembly's time, and Mr Berry should be ashamed. I know that they do not have much business to do on that side of the chamber. I know that there are not too many things that they can say, just having come into opposition. But to try to make a mountain out of this molehill really is an embarrassment.

Mr Speaker, I ask the Assembly to reject this motion. It is the silliest motion I have seen so far in this term of the Assembly and, I suspect, if this is the standard that we are going to be seeing from the Opposition, it will not be the silliest for the entire period of the Assembly. Mr Berry called it a hard-hitting motion. With respect, it is not. It is a very mildly worded motion. Mr Berry does not even have confidence in his own theme. Mr Berry is used to moving motions censuring people and lacking confidence in people. To say that the Assembly "regrets the failure of the Minister" indicates that he himself does not have much confidence in the message that he is trying to put across.

Mr Speaker, let me just explain some of the background to this matter. I think it is worth emphasising that there is very much a need for us to act in this area. To the point where he touched on the nature of the problem in New South Wales, I think Mr Berry was speaking accurately. It is true that the issue has become slightly more acute in recent years, particularly since the summer before last, when, as members will well recall, there were very serious fires in New South Wales, particularly around Sydney, that devastated significant areas of New South Wales and, indeed, took lives. As a result of those fires in particular, in New South Wales there has been a change of emphasis about the way

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in which they deal with bushfires and bushfire fuel. As a result, there is a tendency now towards more burning off as a way of reducing the build-up of combustible material in New South Wales. That is a process that we can probably debate, and should debate, at another time.

Mr Berry made reference to the fact that it may not be the best way of dealing with combustible material. I have to say that my mind is open on that subject as well. I do not yet know whether it is better to deal with these things by burning them off in the low season, such as autumn, or in some other way to reduce the level of material, or take some other steps towards preventing it from becoming a serious problem. That is the reason why this Government has acted quickly to deal with the issue of how to deal with combustible material building up in the ACT. Members will recall that the previous Government received a report from one Howard McBeth, a former Deputy Fire Commissioner in South Australia, on the build-up of combustible material in the ACT. That report, as members will also be aware, was not publicly released. It was suppressed by the previous Government. That report did not see the light of day until it was released by the Opposition shortly before the last election, and the warnings issued in that report became public knowledge - warnings such as there being a serious build-up in combustible material in the ACT. Mr Berry laughs about that, but at some point or other that build-up of combustible material could constitute a threat to property and even to life in the ACT. I, as Minister for the Environment, am not prepared to sit back, as the previous Government was, and sweep that problem under the carpet. That is a real issue of absolute concern to the Territory. It is a disgrace that that report was suppressed by the previous Government, and I think it needs to ask the question of itself: Why?

As a result, within seven days of taking office, this Government appointed a task force to review bushfire fuel management in the ACT. The terms of reference of that task force are to review current practices of bushfire fuel management in the Territory and recommend appropriate policies and practices for bushfire fuel management, having regard to protection of life and property, environmental and conservation issues. The review itself has to look at things like the Bushfire Act, the Rural Fire Control Manual, the provisions of the Air Pollution Act 1984, the Nature Conservation Act 1980, the Fire Brigade Act 1957, associated management plans and existing policies and practices. Those are all issues that ought to have been addressed urgently in this Territory some time ago. Members will also be aware that the task force has a broad membership consisting of representatives of bodies such as the CSIRO, the Bushfire Council, the Chief Fire Control Officer and the Environment and Conservation Division of DELP. I believe, Mr Speaker, that that task force is working satisfactorily. It is meeting on a weekly basis and has been doing so since 31 March.

Mr Berry accurately stated that there was a problem with bushfire burn-offs in New South Wales. He also accurately described the nature of the problem with smoke drifting across from New South Wales to the ACT and the very serious impact it has on the health of people in the ACT. Those affected by the rise in airborne particulates include particularly the young and the elderly because of the implication of things like asthma, bronchitis and emphysema. Those are all important issues which we should face up to. But the big question that has to be asked is: Why was it only when this Government took office two months ago that action actually started on these questions? Why was it that Mr Berry and

his Government, who governed the Territory for 3½ years before that point, did not act in these areas? It was because, despite the sleight of hand that Mr Berry used in his remarks, it was not actually 31 March 1995 when we saw the first major problem with deliberately lit fires causing a smoke problem in the ACT - not by a long shot, Mr Speaker.

In the autumn of 1993, for example, there were serious problems in the ACT caused by smoke coming across from New South Wales. There was a major burn, for example, in the Orange-Bathurst region - so big that it reached the ACT. So, we are not talking about things happening at Murrumbateman and just outside Queanbeyan; we are talking about a very large area of New South Wales. In January 1994 we again had problems with fires elsewhere - those major fires in New South Wales. Again, even though we knew that those things were happening, there was not any notice from the previous Government to citizens of the ACT that they should take special precautions.

The crux of Mr Berry's motion before this Assembly is that we did not take action quickly enough on the problems that became clear to us within a few days of taking office; that the problem was not solved.

Mr Berry: You said that you would, and you did not.

MR HUMPHRIES: I did say that I would, and I did take action.

Mr Berry: When?

MR HUMPHRIES: Mr Speaker, my department, pursuant to my instructions, immediately raised with the New South Wales Environment Protection Authority, in a letter on 7 April, the issue of airborne pollution in the ACT from New South Wales burn-offs. As a result of that, it was immediately set down for discussion between the Office of the Environment in the ACT and the New South Wales Environment Protection Authority in a meeting to be held in the ACT on 19 April. I am advised that at that meeting the New South Wales officials agreed that there had been a significant smoke problem for the ACT on 31 March. They also acknowledged that there had been a heavy fuel load in the areas burnt that day. They said that, originally, the meteorological conditions for the burn had been favourable, but the wind direction had changed after the burning commenced. That is fine; there was an explanation for what happened on that day. But the point we had made about there being a problem with notice for the ACT was taken by the New South Wales authorities, and we took steps to deal with it.

Mr Speaker, I want to table in the Assembly the minutes of that meeting of 19 April between the Office of the Environment and the New South Wales Environment Protection Authority. This is action that Mr Berry claims did not occur. Here are the minutes of that meeting held at the Homeworld Building, which I think is in Tuggeranong, which Mr Berry says does not matter. Item 6 of the minutes reads:

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Bushfire hazard reduction - implications for air quality in the ACT.

- Action:
- (i) NSW EPA to draft a protocol for NSW/ACT liaison about future fuel hazard reduction burns, including notification issue. (NSW EPA)
 - (ii) OOE to prepare letter from ACT Minister to NSW Minister, noting progress.

There were other items discussed at that meeting about a number of things that were of significance to the ACT. I table those minutes of that meeting, Mr Speaker. I think that that was reasonable progress - acknowledgment by the New South Wales authorities that there was a problem and commitment on their part to work with us towards finding a solution to the problem. I am happy to sit down at this point, Mr Speaker, if Mr Berry would like to withdraw his motion, in acknowledgment of the fact that it has no legs. But Mr Berry looks a bit embarrassed, so perhaps I will press on.

Mr Speaker, the New South Wales officials were advised that I was writing to the Minister about this matter. I will table that letter shortly. Unfortunately, as we know, their efforts were not quick enough, and the following week Canberra again experienced smoke from burning off. It is a matter of regret to me that the New South Wales officials did not rush back to us with the protocol drafted. After all, it affects them, in a sense, quite heavily as well. They are entitled to work out the protocol of their side. I think that is fair enough. Burning in the Budawang and Deua national parks did cause a problem for the ACT in the following week. When that occurred, in the following week, I wrote to the New South Wales Minister, Pam Allan, seeking her assistance in ensuring that effective consultation with the ACT in relation to hazard reduction burning in New South Wales would occur.

Mr Berry asks why I did not write to Pam Allan before that. He asks why I did not write to her when this problem came up on 31 March. There is a very good reason: There was not a Minister in New South Wales at that time.

Mr Berry: Yes, there was.

MR HUMPHRIES: No, there was not. The New South Wales Labor Government did not take office and did not appoint Ministers, I am advised, until 7 April.

Mr Berry: All your people were caretakers right up until then.

MR HUMPHRIES: They were caretaking Ministers. They were not in a position to make decisions about these matters. So, it was not until 6 April - I beg your pardon - - -

Mr Berry: You are just trying to mislead and distort things, Gary. There were Ministers in place, and you know it.

MR SPEAKER: Order! You were heard in comparative silence, Mr Berry. I ask that the same courtesy be extended to the Minister.

Mr Berry: Things have changed, and we make the same comparisons.

Mr Wood: Yes, things have changed, haven't they?

MR SPEAKER: Withdraw that, Mr Wood. That is a slur on the Chair, and I will not stand for it.

Mr Moore: On a point of order, Mr Speaker: Once again Mr Wood is addressing you from his chair. I quietly drew that to your attention on a previous occasion. I draw your attention to standing order 202(e). I believe that it is appropriate for that standing order to be used if any member continues to operate in such a way. It is entirely and completely inappropriate.

MR SPEAKER: There are two matters here. First of all, I would suggest that, if you wish to take a point of order, Mr Wood, you stand to do so. Secondly, your suggestion that there is some bias extended to the Government from the Chair is, in fact, a criticism of the Chair, and I would ask you to withdraw it.

Mr Wood: Mr Speaker, I certainly withdraw any suggestion that there is bias from the Chair. It is just that the Liberal Party has totally changed its tactics since moving to that side of the house.

MR SPEAKER: Thank you, Mr Wood.

MR HUMPHRIES: Mr Speaker, I think it is incumbent on those opposite to ask themselves what their motivation is for dealing with this issue in such a silly way. There has been progress on this matter. As a result of my letter to Pam Allan on 27 April, we have had a lift in the performance of the New South Wales authorities. Indeed, on 28 April, the very next day, there was a burn-off in New South Wales. We were given advice of this matter, I think, before it started - certainly soon after it started, at least. I was able to issue a press release on 28 April at about half-past three, advising the people of the ACT that a burn-off was going on at Williamsdale and that we did have progress on this matter.

Mr Speaker, I table that press release. I also table my press release of the previous day; my letter to the Hon. Pam Allan, MP, Minister for the Environment, of 27 April; and her reply of 2 May 1995, which is more of a holding reply than anything else but which certainly indicates that she is now looking at the issue actively. I assume that we might see the New South Wales Opposition criticising her for not responding to this letter in the last few days as well, if they are taking lessons from this Opposition up here.

Mr Speaker, this really is a silly motion. I think it does make people wonder what we are all about. We talked before, particularly in the inaugural speeches the other day, about the problem of people holding this Assembly in low esteem. I would hate to think that the people in the gallery today would go away thinking that this is the sort of thing we spend our time debating in this place. I can assure them that we do debate things of more consequence than this and with more substance than this, and I hope that in future we will get on to a situation where we do exhibit a bit more responsibility.

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MS HORODNY (11.11): I would like to speak to the motion, although I have an amendment to it. I am happy to say that the bushfire management in the ACT is one of the best models in Australia. Our Chief Fire Control Officer, Peter Lucas-Smith, and the members of the bushfire fuel management task force are to be commended for their good work. Our neighbouring shires, however, I believe, hold to fire management practices which, unfortunately, are appalling and affect our quality of life in the ACT.

The Wee Jasper “out of control” burn by New South Wales State Forests some six weeks ago, which created the huge smoke haze over Canberra, was a burn which was badly managed, for a number of reasons. The area burnt, which was over 4,000 hectares, was far too big to control at any one time. Our own Chief Fire Control Officer advised the Yass District Fire Officer not to conduct the burn at that time because of adverse weather conditions, and this advice was disregarded. There was no care taken to protect the wildlife in this huge area, and thousands of animals were incinerated. When the burn-off became out of control, because incendiary devices were dropped into the wrong areas, the fire became a high-temperature burn, destroying the delicate balance of that local ecosystem. It will obviously take many decades, if not longer, for this balance to be restored.

The Wee Jasper fire created a serious enough smoke hazard in the ACT to prompt the Health Department to issue warnings to asthmatics and people with bronchial problems. As we all know, nature does not conform to State or electoral boundaries. The wildlife, the biodiversity and the entire ecosystem in this 4,000 hectares are part of the heritage of all residents in this region, be they in New South Wales or the ACT. The decisions of these shires are clearly an issue for the quality of life of ACT residents. Not only is our natural environment being degraded, but the health of many ACT residents is also affected. As has been shown from recent events, even mild asthmatics can be badly affected by such a smoke haze. This is one of many issues where cross-border cooperation has to be improved. The concept of the ACT as an island within New South Wales must be addressed and overcome. Perpetuating this mind-set affects all ACT residents adversely, I believe.

It is imperative that the Minister for the Environment, Land and Planning and Minister for Emergency Services, Mr Humphries, become involved in discussions with these shires to impress upon them the urgent nature of this issue. He should also be having urgent talks with the New South Wales EPA - it was interesting to hear that there has been some progress in this area - and the New South Wales Environment Minister, with whom he has had some correspondence, to look for permanent solutions to these problems. It is important that the advice of ACT air pollution and bushfire experts is not disregarded by the slash-and-burn brigades controlling some New South Wales bushfire councils. I therefore seek to amend Mr Berry's motion. I move:

Omit all words after “That”, substitute the following: “Mr Humphries immediately establish coordination with NSW Authorities and broaden the parameters to include a more cooperative arrangement concerning comprehensive fire management covering the whole region”.

MR STEFANIAK (Minister for Education and Training) (11.15): Mr Speaker, let me make just a few points. As my colleague Mr Humphries said, it would have been very difficult for him to take action on 31 March, because the New South Wales Government was very much in limbo. Indeed, I recall being at the Housing Ministers conference in the week of 10 and 11 April. The New South Wales Government was sworn in the week before, which would have made it early April, and that was why that particular New South Wales Minister could not go. So, I think Mr Humphries has very effectively answered that point, which seems to be one of the main points of Mr Berry's motion.

Further to that, there have been a number of meetings. I understand that there was a further meeting on 19 April, and that a senior officer of the ACT Department of the Environment, Land and Planning attended a regional forum of the New South Wales regional bushfire controllers to further consolidate liaison arrangements. Also, Mr Speaker, I am aware that meetings of all the relevant ACT agencies have been held, together with the Bureau of Meteorology, to determine appropriate points of contact with the New South Wales agencies. As a result, arrangements have been made between New South Wales and ACT authorities to ensure that there is cooperation and consultation for future burns.

Mr Humphries made mention of the fact that he did write, at an appropriate time, to his counterpart in New South Wales, the Hon. Pam Allan, MP, the new Minister for the Environment. I have a letter here, Mr Speaker, which I think I should read out and table. It is dated 27 April, and it says:

Dear Minister

I am writing to you to seek your assistance in resolving a major air pollution problem which is experienced by the ACT. You will appreciate this creates discomfort for ACT residents and in some cases exacerbates existing health problems.

The topography of the ACT, combined with meteorological conditions, such as the incidence of low wind velocities during the autumn and winter months, make the region particularly prone to temperature inversion layers which trap pollutants under a "blanket" which prevents their dispersion into the upper atmosphere.

The time for these temperature inversions in the ACT often coincides with the controlled burning period in NSW. The smoke which is produced by these activities frequently drifts into the ACT region and results in a thick layer of brown haze that may remain in place for some days, depending on the prevailing wind direction and velocities at the time.

There have now been two significant occurrences in the past month of smoke haze caused by controlled burning by shires surrounding the ACT. The first incident occurred on Friday 31 March 1995, when copious amounts of smoke drifted into the ACT and a thick layer of

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brown haze remained for a number of days. This was the result of controlled burning carried out in the Yass and Yarrowlumla Shire regions when the prevailing winds in the burn-off region were conducive to smoke being transported to the ACT region.

The second incident began yesterday -

which would be 26 April -

when controlled burning commenced along a front of about 15-20 kilometres between the Budawang and Duau National Parks. It is understood about 13,000 ha is being burnt and the operation is intended to continue until 29 April 1995. Again the prevailing winds have carried the smoke to the ACT, forming a dense haze. Meteorological advice is that the haze will persist until at least Sunday.

I fully appreciate the importance of controlled burning as a means of fire hazard prevention and that there is only a limited period of time during autumn when this activity can be undertaken. Nevertheless, I believe it is necessary to carry out this activity when more favourable meteorological conditions are forecast, so that the ACT region is not left under a blanket of smoke for a number of days.

I am writing to seek your assistance in arranging the necessary co-ordination and co-operation between the NSW's Environment Protection Authority (EPA), State Forests and the Department of Bush Fire Services, and the ACT's Office of the Environment and the ACT Bush Fire Control, to reduce the incidence of smoke drifts over the ACT.

I would envisage that the ACT would be given advice of proposals to conduct controlled burning in sufficient time for the local community to be advised of possible smoke drift into the Territory in a similar manner to the press releases that the NSW Department of Bush Fire Services provides for the South East Region of NSW.

I would also envisage that the EPA, local authorities and the ACT Office of the Environment would establish close liaison on days of controlled burning so that as a general rule fires are lit only if the prevailing wind is away from the Territory. The liaison would be valuable to ensure that, where wind changes occur, ACT authorities have the opportunity to inform the community of approaching smoke drift.

I look forward to your early response.

Yours sincerely

Gary Humphries.

Mr Berry: That was the 27th, Bill?

MR STEFANIAK: It was, indeed, Mr Berry. I table that letter, Mr Speaker. I think Mr Berry's motion is a nonsense. There was really nothing more that Mr Humphries could or should have done in the circumstances. It is quite obvious that he is taking all reasonable steps to protect the citizens of the ACT in relation to this. Indeed, he deserves to be commended for that, rather than criticised in this stupid motion by Mr Berry.

MR MOORE (11.21): Mr Speaker, when I read the motion and the amendment moved by Ms Horodny, I think that the Assembly has to be careful not to reject out of hand the intention behind those two motions. Mr Berry is seeking to make a bit of political mileage out of the impact of the smoke. After listening to Mr Humphries's speech, I think many of the issues raised by Mr Berry were answered. So, then we move to the more sensible approach by Ms Horodny. I have spoken to Mr Humphries since this amendment was moved, and I would suggest that all we really need from Mr Humphries is an assurance that he will begin to do those things, so that he responds in spirit to what Ms Horodny is trying to achieve. While we are still in the first 100 days of this Government, Mr Speaker, I would be prepared to accept that assurance from Mr Humphries and knock off both the motion and the amendment, provided that I get that assurance. I have discussed this matter also with my Independent colleague, Mr Osborne. As you know, Mr Speaker, he and I share so much, issue by issue. We have much in common - looks, for example. Having shared this, we have actually found something upon which we can agree. Having found on this occasion something on which we agree, we think it is better if we just knock this off.

MR SPEAKER: Mr Moore, I do not know whether there is anything in the standing orders that covers what you just said.

MR DE DOMENICO (Minister for Urban Services) (11.23): Mr Speaker, I rise very briefly to support the views expressed by Mr Moore, Mr Humphries and Ms Horodny. To use Mr Moore's words, we should "knock this motion off" because it is a very silly motion. Let us look at what it says:

... the failure of the Minister for the Environment, Land and Planning, Mr Humphries, to establish a coordination arrangement with the relevant NSW authorities ... despite his promise to do so on 31 March 1995.

As we have seen, he has done it. It took him 12 or 15 days, mind you; but he has done it. Mr Berry, you should have copies of the minutes of the meeting that occurred on 19 April. It has taken him 19 days. We know that that is 3½ years less than the former Labor Government had in which to do it. We are sorry that it has taken us only 19 days to do it, but the fact of the matter is that the facts are before you - he did it; it is done and finished. Had Mr Berry rung Mr Humphries and said, "Hey, is it true that you have not done anything?", I am sure that Mr Humphries, in his usual kind way, would have said to Mr Berry, "No; I have done it all, Wayne. Here is a copy of the minutes. Here is a copy

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of the letter to your Labor colleague, the Hon. Pam Allan, the Minister for the Environment. We have already done it". We are quite sorry that, in 3½ years of government, you did not see fit to do it yourself and that it has taken us only 19 days to do it. So, do not waste the time of the Assembly in an attempt to score cheap political points by putting on this silly motion. Mr Moore was a bit kinder on you, Mr Berry. He said that perhaps the intention there was to make sure that something happens in the future.

Mr Moore: As you know, I am always kind.

MR DE DOMENICO: I know that. Let us have a look at what else Mr Berry said. As we know, Mr Berry is a former fireman. As a former fireman, Mr Berry of all people in this place should realise that, if burning off is not the panacea, as he said, other things have to be done when there is too much vegetation that may endanger people's lives. I ask him: Do we spray it with DDT? Do we get to it with chainsaws? When he gets to his feet again, I want him to tell us what else can be done to control that sort of situation around the Territory. We can have the meetings and we can have all the coordination; but I would be interested in Mr Berry's views, as a former fireman, as to how we are going to do it, seeing that he said that burning off is not the panacea.

Mr Berry also talked about maladies. That is a concerning thing to all members of this Assembly. Of course we are concerned about people who are asthmatics and people who have sinus problems. Members of my family are in that situation. It is ironic, is it not, that the place in Canberra where most people suffered was the Tuggeranong Valley? Because of his comments before, I am sure that Mr Berry has never been there. Would it not be fantastic if we did have a weather station in the Tuggeranong Valley, because that weather station would predict what is likely to happen in the Tuggeranong Valley?

From time to time other members suggest what we should do about wood-burning fires in the Tuggeranong Valley. There is a guy called Savage - savage by name and savage by nature - Mr Tony Savage from Conder, which is where I live, by the way, who from time to time suggests that we ought to blanket-ban all things to do with wood-burning heaters in the Tuggeranong Valley because of the configuration and the shape of the Tuggeranong Valley, where the smoke tends to accumulate. Mr Berry, had you ever been there in your life, you would realise that it is important to the people in the Tuggeranong Valley. I am sure that Mr Wood, Mr Whitecross, my colleague Mr Kaine, and Mr Osborne - all members for Brindabella - would know, because that is where they come from. Mr Berry would have known, had he asked the right question, that it is of deep concern to the people in the Tuggeranong Valley. So, let us get that out of the way as well.

I applaud Mr Wood, because he initiated the establishment of the weather station, and Mr Humphries followed suit on a very good decision by Mr Wood to allow a weather station in the Tuggeranong Valley. It is at times like these that that weather station will be used to the fore, to advise the people in the Tuggeranong Valley of exactly what is happening. I go back to Mr Berry's motion. I know that you are in opposition, and you love being in opposition, because you like to play politics; but this is a silly motion and a waste of this Assembly's time. I think it ought to be rejected, as it will, quite rightly, be.

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (11.28): Mr Speaker, I am speaking to Ms Horodny's amendment. The amendment raises some issues which are actually quite important. It is undoubtedly true that we need to move towards an arrangement with New South Wales. The reason is that we are, at the present time, in danger of quite dramatically diverting from New South Wales in our bushfire management practices. New South Wales has always taken the approach, particularly in the last year and a half, following the major fires in the summer of 1993-94, that back-burning is a very effective way of reducing combustible material. In that respect, they have embarked on quite a lot of it in the last 18 months or so - - -

Mr Berry: Last year; since 1994.

MR HUMPHRIES: They have done it during the last year, I understand - certainly, not just since 31 March. At the same time, we have our own task force working in the ACT to reduce combustible material in the appropriate way, and that may or may not be by back-burning. As a result of that process, we have possibly a change in direction in ACT policy, which could further emphasise the divergence between the ACT and New South Wales policies. That might be fine if we feel that we have the best practices and we want to put those practices in place and continue to use them; but it will be a problem if we find a lack of coordination between the two jurisdictions as to how they actually implement their respective policies. We must work to overcome that. That aspect of this amendment is an important issue.

Mr Moore posed the question of whether or not we would work towards more comprehensive fire management strategies covering the whole region. The answer, Mr Speaker, must be yes. Once our own process has been completed, we have to come back and work closely with New South Wales to establish that kind of arrangement. I will give that undertaking quite freely to Mr Moore and the Assembly; we will work in that direction. At this stage I can indicate that I favour - although this is not a definitive view of our proposed course of action - coming back, sometime after the McBeth task force has reported, with a ministerial statement on our strategies for dealing with both ACT bushfire management issues and coordination with New South Wales. That is the approach we ought to take, and that is the approach that I undertake to the Assembly to take. But, Mr Speaker, having indicated that those are the issues raised by Ms Horodny's amendment, I think that to pass the amendment itself - - -

Mr Berry: On a point of order, Mr Speaker: I heard Mr Moore pontificating earlier about members observing the standing orders. It is a bit hard to hear Mr Humphries. Mr Moore has a very piercing voice.

MR SPEAKER: I would ask members to either keep their voices down to a whisper in the chamber or use the lobbies which have been provided for the purpose of having private discussions.

MR HUMPHRIES: I am deeply flattered that Mr Berry wants to hear what I have to say. It is most unusual.

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Mr Speaker, the amendment raises some important issues; but, to pass it, even after I have given those undertakings, I think, dignifies a motion which is really quite insulting to the value of the Assembly's work and time. I would ask members of the Greens to consider withdrawing this amendment, to let the process that I have indicated take its course and to join with us in rejecting this very silly motion.

MS HORODNY (11.32): Mr Speaker, I am happy to withdraw the amendment, given that Mr Humphries has made that undertaking, and I will be keeping a close eye on the progress of it.

MR SPEAKER: You are seeking leave to withdraw your amendment?

MS HORODNY: Yes.

MR SPEAKER: Is leave granted?

Mr Berry: No. I would like to see it voted on. It has to be voted on.

MR SPEAKER: I heard only one voice.

Mr Berry: I will withdraw that.

MR SPEAKER: Very well.

Amendment (**Ms Horodny's**), by leave, withdrawn.

MR BERRY (11.33), in reply: Mr Moore said that he would accept the undertakings given by Mr Humphries, and so he would be prepared to vote against the motion. I remind Mr Moore that a little while ago there was the same exclamation from him about receiving undertakings from the Chief Minister about the Acton-Kingston land swap, and, regrettably, he was misled. The Chief Minister had to come back into the chamber and point out to Mr Moore that what she had, in fact, said in the Assembly was wrong, and she had to correct her position. I trust that Mr Humphries will not have to come back to the chamber and say the same thing.

I also note that Mr Moore was speaking on behalf of Mr Osborne. I would just like to say to Mr Osborne that Mr Moore often spoke on behalf of Ms Szuty, and she is not here any more. So, there is a bit of a message in that. Do not be mesmerised by Mr Moore. I warn you.

Mr Osborne: I will be around a bit longer, Wayne.

Mr Moore: In your dreams, Wayne.

MR BERRY: Well, call the roll. Ms Szuty has gone.

Mr Moore: No; I meant about Mr Osborne.

MR BERRY: I heard, too, that Mr Humphries tried to create the impression that I was laughing at the issue. That is not uncommon for Mr Humphries. Nobody laughs about the bushfire issue, Mr Humphries. I think that it was a bit over the top to suggest those sorts of things. He also tried to insinuate that I had no feeling for Tuggeranong. That is rubbish. I was out there last night, just listening to the people complaining about Mr De Domenico. Those sorts of silly imputations are mere diversions in the debate.

The real issue here is what Mr Humphries did. He said that his own officers contacted the New South Wales EPA. But there was no political action. He then tried to divert attention by saying, "There were no Ministers in New South Wales". But, of course, there were. The ministry was in place. There was no attempt to make political contact in New South Wales in relation to this issue - not one movement. I looked at this letter that Mr Humphries tabled today, and I thank him very much for doing that. What I was doing was looking to see whether there were any typos in there, because on the day that he wrote this letter the smoke was so thick that it is a wonder he could see the keys. I wonder whether that was really the trigger to get him to write, because that is what, in fact, occurred. It was five days later that the new, very busy Labor Minister in New South Wales wrote back. So, when you make contact, you get results.

The problem with Mr Humphries is that he made no contact with New South Wales at a political level and then he offered this weak, shallow and misleading excuse that there were no Ministers there, when he knew very well that his own Liberal counterpart was still in place in New South Wales and remained so. That is as it ought to be. There has to be a caretaker arrangement in place. All he had to do was make the political contact. Departments and bureaucracies do not evaporate as a consequence of an election, as we all know. They are still here, and they will all still be here long after many of us have gone. But the facts of the matter are that you attempted to mislead us into thinking that there was an excuse for not making political contact by saying that there was no ministry. Well, there were Ministers, and you could have made the contact. The proof of the pie is in the eating, because, when you did make contact, in five days you had a response and there was action under way. So, do not take us down that path, because it is deliberately misleading.

Mr Humphries: Mr Speaker, I take a point of order. I am finding this constant clawing by the Opposition really quite wearing. I am not prepared to - - -

MR BERRY: I do not think being wearing is a point of order.

Mr Humphries: Mr Berry knows that it is against standing orders, and I ask him to withdraw.

MR BERRY: Withdraw what?

MR SPEAKER: I will uphold the point of order, Mr Berry. I think it is possible to criticise what you perceive to be the Minister's lack of diligence on this matter, but I do not believe that you can accuse him of deliberately misleading the house. I would ask you to withdraw that phrase.

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MR BERRY: I do not wish to impute that he was deliberately attempting to mislead the house, and I withdraw any imputation; but it is misleading for the community.

MR SPEAKER: Thank you. Continue.

MR BERRY: I think Mr Humphries's letter on 27 April was an attempt to deliberately mislead the community to believe that he was doing something. As I said, I am surprised that he could see the keys. So, Mr Speaker, we have a Minister who attempted to mislead the community into believing that he was taking action in relation to this matter by saying that he had written to the Labor Minister in New South Wales.

Mr Humphries: I did not say that. That is untrue.

MR BERRY: On the day, 27 April, Mr Humphries made it clear - I am having a bit of a struggle here, Mr Speaker.

MR SPEAKER: It is almost as if you have smoke in your lungs.

MR BERRY: No, it is not. I am having a bit of a struggle. May I have a moment?

MR SPEAKER: Yes, certainly.

Ms Follett: Mr Speaker, I will move: That the debate be adjourned.

Mr Kaine: Don't you want to take any more punishment?

MR BERRY: No; I will come back to it. I just cannot cope with it. I just cannot go on.

Ms Follett: Mr Speaker, if members want to debate that matter, I think it would be only fair to - - -

MR SPEAKER: I do not think anybody does.

Ms Follett: I think that on the adjournment it would be only courteous to allow the member time to conclude his remarks. I seek leave to adjourn the debate, Mr Speaker.

Leave not granted.

MR BERRY: Mr Speaker, I will battle on.

Mr Moore came up with a couple of churlish remarks, saying that, whilst I had spoken, I had not said anything because what I did was draw attention to Mr Moore. I thank him for his - - -

MR SPEAKER: Leave is not granted to adjourn the debate. Will you be completing your remarks?

MR BERRY: I will.

Ms Follett: He does not have much choice, does he?

MR SPEAKER: No. We agreed on that.

Ms Follett: That shows gross discourtesy by the other members.

MR SPEAKER: Order! Mr Berry has the floor, and I would like him to be heard in silence.

MR BERRY: I am sorry that I drew attention to Mr Moore's failings. I knew that it would upset him, and I will probably pay for that.

Mr Moore: Remember what happened last time you misled the Assembly.

MR SPEAKER: Order! Mr Berry, please continue.

MR BERRY: Mr Pot is at work.

Mr Speaker, what we are dealing with here is an issue about ministerial inaction. It seems, on the face of it, that the motion will not pass. I am content with that, because what it is saying is that the majority of the members in this Assembly are unconcerned that the Minister did not act, in the first place, at a political level - - -

Mr Humphries: Absolute nonsense! What a crock of poo!

MR BERRY: He did not. When his attention was drawn to the smoke outside his window, when it became so thick that it was embarrassing, and when the matter was drawn to the attention of the media, the Minister was very quick to say, "I have written to the Labor Minister in New South Wales. It will be her fault from now on". But, of course, the facts of the matter cannot be changed. Mr Humphries did not do anything at a political level until the 27th, almost a month later, and he did so in response to a blanket of smoke across the Territory and the citizens of the Territory being affected by that blanket of smoke.

This motion would not have arisen if there had not been that attempt to mislead the community. It seems to me that it would have been quite sensible for Mr Humphries to explain why he had not written until the smoke had descended again, but he did not. So, I think we are entitled to express regret about that lack of action, and I am disappointed that the motion will fail.

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

MR MOORE: Mr Speaker, I seek leave to make an explanation under standing order 46.

MR SPEAKER: Please proceed.

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MR MOORE: Mr Speaker, after I went to Mr Berry a few minutes ago he said that I went down there to make a churlish remark. That is simply untrue, Mr Speaker. I actually went there to offer Mr Berry a throat lozenge, and I did not make a remark other than to offer him a throat lozenge.

MR BERRY: Mr Speaker, may I make a quick explanation under standing order 46? Mr Moore ought not to misquote what I said. He did make churlish remarks about the fact that I had made a statement and he accused me of not saying anything. I thought that his offer of a sweet was very generous, but I rejected it because I did not think it would work.

Question resolved in the negative.

NOISE POLLUTION

Debate resumed from 3 May 1995, on motion by **Mr Moore:**

That the Government take appropriate action to ensure that local residents, whether in New South Wales or ACT, are adequately protected from noise pollution.

MR STEFANIAK (Minister for Education and Training and Minister for Sport and Recreation) (11.45): As I indicated briefly last week, I think probably the best way to do what this motion seeks would simply be to ensure that our legislation was the same as that in New South Wales. That is indeed our Government's policy, although we are a government of only seven. I note comments around the chamber in relation to that, and I note that there will be further discussions in relation to that.

I wish to make a few points in relation to what Mr Moore has raised in this debate. Significant advances in reducing noise have been made by motor sports at Fairbairn Park. Indeed, we are now at a stage where probably only the speedway and the hill climb regularly need exemptions. A number of things can be done to overcome that. We could relocate the formula 500 meetings to the reverse slope at Fairbairn Park and perhaps transfer the hill climb to nearby Sutton Park, where the noise goes in the opposite direction to New South Wales rather than straight across the valley at New South Wales as it does currently from Fairbairn Park. There are a number of things which this Government is exploring and which motor sport itself is exploring in relation to that.

In the statements that Mr Moore made there are a number of fallacies. He talked about a report made some 20 years ago, before the construction of the Sutton Road driver training track for the police, recommending that a systemic environmental assessment be carried out. He claims that no such investigation has ever been done. I do not know whether Mr Moore is aware of the Challis report on which work was carried out under the previous Government, I believe, in May 1992. Mr Challis is an Australian and world renowned expert on noise and is accepted as such by the Australian courts. His comprehensive assessment was available to the previous Government. For the benefit of Mr Moore and anyone else who wants to look at it, I table the Challis report.

Mr Moore also mentioned that under the current system, which was introduced by the previous Government back in early 1993, some 70 exemptions per year were given for motor sport. I am not too sure what applied in 1993, Mr Moore, but certainly the number has been getting smaller and smaller as measures have been taken to improve facilities. This year some 17 exemptions have been given. I understand from the Motor Sports Council that they are asking for only a further 15 for the rest of the year, which would make a total of 32 - considerably fewer than 70. In my dealings with the Motor Sports Council and the people involved in motor sports since my return to the Assembly in August last year, I have found them to be a very reasonable bunch of people who are doing their very best to enjoy their sport within proper limitations and with due consideration for others.

The history of this matter, I suppose, Mr Speaker, goes back to the early 1970s, when the Fairbairn Park complex was established. At about the same time - and I do not think Mr Moore is accurate in saying that the Ridgeway was there first - houses went up in the estate known now as the Ridgeway in New South Wales. To my knowledge, there appear to have been very few complaints or problems with noise until about 1990. There had been ample opportunity for problems, because up until about then there had not been terribly many controls on noise from motor sport in Australia.

In 1990 the Ridgeway Residents Action Group was formed, largely because Ridgeway residents were worried about a proposal for a major international speedway on the old police driver training track. That did not go ahead during the term of the Alliance Government, largely because of financial considerations. It is reasonable to expect that a group living nearby might be concerned about a major complex, which they probably thought was similar to the venue for the Indianapolis 500, being close to their doorstep. It is interesting to note that people in our own Oaks Estate were also concerned at that proposal. I think that was a quite natural concern. The proposal did not go ahead, however; and in late 1992-93 the previous Government - having, it seemed, rejected the points made by the Challis report - introduced the current regime of exemptions. The head of the EPA at the time was, in fact, a resident of the Ridgeway. Members can make of that what they wish. It certainly was not a completely desirable situation.

Mr Speaker, since then the people who were involved in complaining about the possible international track seem to have lost a lot of momentum. In the budget review process last year I asked whether there had been any complaints from Oaks Estate in the 1993-94 financial year. There had been none. However, there had been complaints from two people on the Ridgeway - a Mr Murnain and a colleague of his whose name I forget. They made 36 per cent of all noise complaints that year - 216 complaints. I am aware that complaints were made even when there was no motor sport activity whatsoever at either Fairbairn Park or Sutton Park. It could well be that those two people were a tad overzealous.

That brings me to my next point - and it applies not only to noise from motor sport but to noise generally - and that is reasonableness. I think it is terribly important for this Assembly to be reasonable - reasonable in all things it does but also reasonable in considering such problems as Mr Moore raises. There are always two sides to any issue, and it is important that we be reasonable. Some people tend to be more zealous and more concerned, perhaps sometimes unreasonably so, when they get too wound up in things. We have to be objective in what we do, and I would commend that to people.

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Mr Speaker, apart from motor noise, Mr Moore's motion raises some important issues, because we do not live in a silent world and noise pollution of various types is of concern to people. As I indicated, I think the motor sport people in Canberra, the ordinary men and women of the ACT who love their sport - indeed, estimates of people who follow, attend and participate in motor sport here range up to about 15,000 - have a right to go about their sport. It is a legitimate sport, and they have every right to expect an ACT government to support them in that right.

However, there are other people in the ACT who partake in other legitimate activities which cause some noise. Exemptions for motor sport are not the only ones given. Mr Speaker, you and I were recently at a wonderful event at the Tuggeranong BMX track. Mr Osborne was there too. A lot of kids seven years old and up from around Australia were involved. It was a great event. They all took an oath of sportspersonship, as I suppose we should call it these days. Boys and girls, and some adults as well, were participating in what was an excellent weekend over Easter. Some anonymous person had passed around through the Kambah suburb a note complaining about likely noise from the event, saying, "Ring up the EPA and ring up Mr Humphries about it". I thought that was perhaps a little bit over the top, because BMX bikes are not motorised, and the only real noise at that event was from the PA system. I do not think the person who wrote that note was being terribly reasonable.

One needs to realise that a lot of these events - motor sport is certainly one of them, but so too are BMX events and a lot of other events, and even the odd rock concert - bring a lot of people and a lot of tourist dollars into the Territory. We are the centre of the south-east region. That is something to consider.

Mr Moore: We do not want the noise from BMX events?

MR STEFANIAK: As I indicated and as Mr Osborne and Mr Cornwell will testify to, I think the only noise was from the PA system. It is a bit hard to get too much noise from BMX bikes. We need the tourist dollars and we need to have a balance.

One can also look at the occasional rock concert. Recently there was a concert at EPIC that my colleague gave an exemption for. I understand that it finished at 10.30 pm. There were over 100 complaints in relation to excessive noise from that concert. It was at night, but it finished at a reasonable time. Again, it is a question of balance. I think it would be quite wrong for this Territory to seek to ban any event that caused excessive noise. There has to be balance. Conversely, you certainly would not want a concert every second night. Such events happen on a fairly rare basis, and I think it is important for the Territory that they continue. People have to be able to enjoy themselves in a legitimate, lawful way. That is only commonsense.

One area which people constantly complain to me about and in respect of which I think we can try to make some improvement - certainly the previous Government did not see a need for improvement - is noise from parties and the like late at night when it is very difficult to get police or noise inspectors to go and investigate. Many people complain to me about neighbours having incredibly loud parties. I have been in areas where those things are a problem. They certainly can cause lack of sleep. There are probably a number of areas we can improve on in that respect. Noise is a contentious issue, but we have to be mindful of people's rights to conduct legitimate activity and we have to be mindful that some people perhaps want to complain without really considering all the relevant factors. I would ask members to bear that in mind.

MR MOORE (11.55), in reply: Mr Speaker, I think that Mr Stefaniak in particular has raised a number of issues that need to be dealt with. The first one is that he says that we need to be reasonable about noise pollution. Indeed, Mr Speaker, that is exactly what the legislation was designed for and that is what it was intended to do. When Mr Wood introduced that legislation, the standards were set as reasonable standards. Part of that reasonableness was to allow exemptions for such things as the example that Mr Stefaniak drew attention to - a one-off concert at EPIC. Mr Speaker, I am sure that Mr Stefaniak was not the only one who had complaints about the volume of noise at that particular concert. It was a very loud concert that drew a whole range of complaints. Certainly, my phone was running hot that night with calls from people, particularly around Watson and Downer, complaining about the level of noise. I wondered whether we had been reasonable in allowing the sort of output that we had from that concert.

Mr Stefaniak raised the issue of tourist dollars. Yes, there is the issue of tourist dollars from such concerts to be weighed against how we treat noise in this city. But the legislation set reasonable standards that this community believes are appropriate, and those standards are ones that we ought to ensure are followed. A few odd exemptions make reasonable sense. Seventy exemptions for the same thing do not. Even 17 exemptions so far this year or a total of over 30 for a full year, although an improvement, is still not a reasonable number of exemptions. We have not got the legislation right if we are requiring that many exemptions, or we need to ensure that people can meet the standard that this community and this Assembly set.

One way of dealing with it, of course, is to change our standards, to lower our noise pollution standards to the New South Wales level. The last time I spoke on this matter I said that that would be similar to the Federal Government lowering the noise pollution standards for the Sydney Airport and saying, "Okay, now you do not have a problem, because we have lowered the standards. The noise is within the standard we have set, so nobody is going to complain about it". That is the same logic as you are talking about. In this community, in the ACT, we have set a standard that is higher than that in New South Wales and probably higher than standards for the rest of Australia. That is something that I am proud of being a part of. We have also been reasonable in allowing exemptions. I know that Mr Wood was working to reduce the number of exemptions that he as Minister had given over the last three years, and I hope that Mr Humphries also will continue to work to reduce the number of exemptions that are given under the legislation.

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One of the reasons that a number of exemptions were allowed over the first few years was to allow people to modify the way they do things. You do not suddenly say, "As of tomorrow, we require lower noise pollution; therefore, you all have to put different types of mufflers on your cars and build huge earth mounds around your tracks". That is unreasonable, because those things require a fair expenditure both on a personal level and by clubs.

I think that what we have here is a very sensible motion. It was not put up just for political point scoring; it was put up really to draw attention to the situation of noise pollution. The motion, I remind you, Mr Speaker, is:

That the Government take appropriate action to ensure that local residents, whether in New South Wales or ACT, are adequately protected from noise pollution.

We have already set the level. The protections must be in place. Where noise pollution in the ACT affects New South Wales residents we have a regional responsibility. I do not think anybody here would deny that we have a regional responsibility. We look at ourselves as part of the region, as opposed to having a narrow view of what happens just within the ACT. For those reasons, Mr Speaker, I think it is a very sensible motion. I hope that it gets the support of all members but at least the support of a majority of members.

Question resolved in the affirmative.

CONSULTATION ON LEGISLATION

MS McRAE (12.01): I move:

That Members of this Assembly request that with each piece of legislation and subordinate legislation presented to the Assembly by the Executive the following information be provided:

- (1) a list of the organisations and/or individuals who were consulted;
- (2) a list of who undertook the consultation;
- (3) an indication of when the consultation occurred;
- (4) the response that was provided to the organisation and/or individuals who were consulted;
- (5) further plans for consultation or feedback that have been made in regard to any possible changes that may be made by the Assembly;
and
- (6) an explanation if no consultation took place.

The motion relates to the provision of information relating to consultation on all legislation presented to the Assembly. Mr Speaker, the motion is pretty much self-evident. I am really looking forward to the debate and the comment on the motion, because I cannot see how anyone can really oppose it. This is an area that I have been long interested in.

For most legislation presented by those on our side and by those on the other side of the house when in government there has been a clear presentation of who has been consulted and what the process of consultation has been. Particularly on the most contentious of issues, we certainly have seen the groups coming in for consultation when legislation is first presented and then following up when the legislation has been debated and further amended. We have seen clear evidence of that, and we have seen clear evidence of how important it is to the community for legislation to be developed in consultation with them. We have not seen so much evidence of that, though, with delegated and subordinate legislation. In that area quite a lot of decisions that affect a lot of the people of Canberra are made perhaps with some consultation, perhaps not. But we have never had any clear evidence of what that process has entailed, how many people it has involved and what effect changes to subordinate legislation or regulations may have on the people concerned.

I chose to put this motion on the notice paper, it being something that I was quite interested in. Subsequently, I have discovered that I am not alone in this; it is an issue that has been discussed all over Australia. In fact, it is the subject of legislation in other places and has been through a quite extensive process of community consultation, discussion, report and review at the Federal level. The report on the Legislative Instruments Bill 1994 by the House of Representatives Standing Committee on Legal and Constitutional Affairs very thoroughly canvassed the issue of consultation, particularly on subordinate legislation; but I see no reason not to extend it to all legislation. They, in their report, came up very much in favour of the approach that I am suggesting. I am asking for this purely by way of motion, which hopefully the house will support, rather than as a legislative or statutory requirement, because I think that, in the spirit of the way that we work in the Assembly, this information can be provided by government without a legislative requirement as to the level of detail. Of course, one could move to legislation if the Assembly so wished.

What I thought would be relevant and important in most of the cases that I am discussing is a list of the organisations and/or individuals who were consulted in relation to the development of regulations, subordinate legislation or legislation itself, and a list of who undertook the consultation. As we know, sometimes consultation occurs at the ministerial level; sometimes it occurs with Ministers' staff; sometimes it occurs through public meetings and people bringing a good idea to the attention of the Assembly; sometimes it occurs with bureaucrats.

I think it is of interest to the Assembly to know at what level the consultation took place, with whom it took place, who undertook it and why they were tasked to do so. An indication of when the consultation took place also would give us an idea of whether a regulation or new piece of legislation took quite a while in gestation or whether after a brief discussion it became clear to a Minister that it was necessary or very important. This motion of mine allows for freedom. It does not say, "You must consult for three months" or, "You must have consulted in this way". It simply allows the Assembly to have some measure of what occurred before legislation was put before the Assembly.

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Similarly, we would like to be able to look at the response that was provided to the organisation after they were consulted, so that, if someone provided ideas in relation to legislation and the ideas were not found to be favourable, we can see what the Government or the Minister gave back to the person who had consulted and what indication the Government gave as to why the notions that the person had put or talked about were not acceptable or perhaps were being modified. That would give us a clear window into how government deals with the community, deals with the interest groups and deals with the ideas that people put up.

Similarly, I think it is important also to include further feedback as a built-in part of the consultation process. We saw this most graphically in the adoption debate. There had been a high level of consultation, but when amendments were made in the house the matter ended up going to a committee because no process of further consultation had been established. I think it is important for the Assembly to see how the Government would deal with further consultation with interest groups should the Assembly wish to amend or modify legislation when it hits the Assembly. If no consultation took place, it is important that that also be said. In the many cases where consultation does not really need to take place, the Assembly can be informed that there was no consultation, and it can then make its own judgment on whether that was appropriate. If we were provided with information on consultation, at least we would know who was talked to, when they were talked to, why they were talked to, what the impact of the discussion was and whether the consultation modified the legislation. Then we would be able to debate the issues before us with much better mutual information, rather than trying to second guess who spoke to whom and when, and what they said.

As I said, this is not something that has come solely out of my head. It has been pretty thoroughly canvassed at the Federal level. The Federal committee that canvassed the evidence and had a look at the different submissions that were put forward has encapsulated quite well why it is so important for government to undertake consultation and has given points which I think it is probably easiest for me to repeat rather than reword in my own way. Let me list the arguments that they accepted as cogent justification for a general consultative process being built into all legislation that is presented by the Executive. It improves the quality of the final product. It is also an important part of developing finely tuned rules that administer government programs so that you have a notion of how they all work. It utilises in an open forum expertise that may be lacking in government. It legitimises delegated legislation by bringing those involved in the legislation closer to the process. It gives a formal voice to those affected by legislation in a much more efficient and fair way than any form of review in court. It is necessary to prevent regulatory capture - that is, cosy regulatory structures - from being developed between government and those who are routinely consulted.

In other words, it opens up the process for other points of view and other ideas and it builds them into the process. It says to the community at large that the responsibility we have to make legislation is one that is inclusive, one that is open to suggestion and modification; it is not one that simply is there to serve one particular group that happens to be in power at the time. I suppose that it is prevention rather than cure that we are talking about in building these processes in at the very beginning and allowing all who are concerned in passing legislation and accepting regulations to know just who was involved.

Legislation similar to this motion in its provisions is already in place, as members may well know, in New South Wales and Victoria. That legislation mostly refers to subordinate legislation rather than direct legislation. The Act in New South Wales was passed in 1989 and that in Victoria in 1994. We are not talking about a radical or new move; we are talking about something that is practised, and we are talking about something that has been tested. I am arguing that a similar sort of statement be included in all legislation rather than just in subordinate legislation. I think the spirit of it has been embraced already, but this would make the process tidier. Many parliaments do not bother with this. The argument is that the debate on ordinary legislation is usually so thorough that it provides a process for exposing who was and who was not talked to and what the impact of the legislation would be. However, with subordinate legislation, this is not the case. Often regulations and subordinate legislation can slip through without any notion of who was talked to. Therefore, they lend themselves to the sorts of arrangements that have been described in this report.

This is something that I have heard various members of the Assembly address in past years. People have made an open commitment in many a forum to the importance of including the community within our processes. In many cases, when legislation has been presented by private members and by us people have talked about whom they have talked to and the groups they have included in consultations.

I do not think that I am offering anything radical. What I am doing is tidying up our processes and offering an opportunity to extend them to subordinate legislation so that, before we begin debate or before we allow an instrument to go through without disallowance, we have some better idea, from information provided in a formal way, of just what went into the construction of the legislation; or, if there was no consultation, which in some cases is quite legitimate, we know that and can say, "Fair enough. That was quite clear. It was not needed". If we had that information we would not have to scout around our various contacts so that we can outmatch each other as to who spoke to whom and when or get an idea of where the debate on the issues is taking place and what led to the legislation being put on the table.

This motion is a way of saying collectively to the community, "Not only do we care about what you say, not only do we involve you as local people in the legislation that we put up, but we are willing to put information up front in any of the legislation that we debate and allow or disallow in our chamber. We do that in a way that makes it absolutely transparent how these things came about". I commend the motion to the Assembly.

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MRS CARNELL (Chief Minister) (12.13): If what Ms McRae has just said is actually the truth, I wonder why the motion, right at the beginning, refers only to Bills coming forward from the Executive. Quite seriously, if this motion was meant in the form that it was put forward, if Ms McRae seriously meant that she wanted a whole transparent process in this place, then the motion immediately would have referred to all pieces of legislation that come to this place. But it does not. It talks about only the Executive, which I find really amazing.

Certainly, this Government is committed to broader consultation. We have said that time and time again, and we have put down very definitely a plan for how that consultation will take place. One of the first things we have to look at and realise is that consultation must be flexible and it must be appropriate to the particular issue that you are actually consulting on. Many times this sort of very structured approach would be totally counterproductive and would slow down the processes of this place terminally. I am sure that that is really what the motion is about. It really would not achieve what it set out to achieve.

As we have said, starting next month Ministers are going to have monthly visits to community centres, where we will be available to discuss openly issues of concern to the people of Canberra. We will be there to listen and to consult on a regular basis. It will be advertised so that people will know where they can come and talk to us. We have already expanded the role of the three consultative councils and are moving to reappoint the Women's Consultative Council. That sort of fell off the edge under the previous Chief Minister. She did not reappoint the Women's Consultative Council. We believe strongly that the Aboriginal and Torres Strait Islander Consultative Council, the Multicultural Consultative Council and the Women's Consultative Council are really important in making sure that this Assembly has at its disposal information and feedback from various interest groups in the community.

What is important, though, is that these councils have a real job and are actually able to advise on policies and programs to meet the needs of the people whom they represent. We have put in place already - and I have been speaking to the councils on this - ways in which we can give them a real role and not just have them there because they look nice. I believe very strongly that that will be a big step in the right direction for those particular groups that have real needs.

The third part of our consultation process is to work much more closely with community councils and to give them a real role as part of our city government policy. We actually have it in writing in our city government policy statement. That will mean that community councils, right down there at grassroots, will be able to consult their communities on specific issues and feed that information back into the community. We have already spoken about our view that those sorts of community councils and so on should have an opportunity to address this Assembly. They can come here and tell us directly what they think at specific times. We hope that the Administration and Procedure Committee at some stage will look at those sorts of ideas that we have already floated. Those sorts of consultation approaches are flexible and will allow people to have real input into this Assembly, but at the same time they will not terminally slow down the way we operate here.

This motion starts off by saying that we want a list of organisations and individuals who have been consulted. I can imagine that in many circumstances a lot of individuals, and possibly organisations as well, would not want to be on any list that was presented and tabled in this Assembly but would want to give their input privately. I can imagine that in lots of situations that would be the case. The motion refers next to a list of who undertook the consultation. Why would we need to know that? Ms McRae also wants to know where the consultation took place and when. Does that mean that we are going to have to say, "Thursday, at 10 o'clock, by Joe Bloggs, at such and such a place."? Quite seriously, this would not help the way this Assembly works. It would slow it down. The absolute classic is paragraph (5), which says "further plans for consultation or feedback that have been made in regard to any possible changes that may be made by the Assembly". So, if we put a Bill on the table here, Ms McRae wants us to table a plan to handle any changes that the Assembly "may" make to the legislation. Crystal balls are really wonderful things; but I do not think even a crystal ball would be able to tell us what changes the Assembly may make to a piece of legislation, so that we could have in place a plan to handle them. Finally, the motion asks for an explanation if no consultation took place. Quite seriously, that is already handled in this Assembly.

It is interesting that the thing that Ms McRae left out and the thing that is most important and has worked best in this Assembly is the committee process. If this Assembly believes that consultation has not been adequately handled, what happens? The Assembly refers a Bill to a committee; and that committee, in an open forum with everybody present, asks for members of the community and organisations to come forward. It is all on the record, with everybody present. That is the way consultation works best in the Assembly context. When we, and I hope anybody else, decide to come forward with a new piece of legislation we consult widely with all the people who are interested. We put our Bill together, we bring it here and we put it on the table of the Assembly. At that stage people in Canberra and people in this Assembly can input into that Bill. If the Assembly believes that consultation has not happened properly, the Assembly can refer the Bill to a committee, which is an open process available to everybody. Then we have debate in this house, more consultation and more input not just to the Government, not just to the Executive, but to every member of this Assembly; and, through the democratic process that I hope we all support, the Bill is either passed or not passed. I think that is a very appropriate process. It is a flexible process that exists at the moment. It gives everybody in this place capacity to input at whatever level they want, and it certainly ensures that the people of Canberra have a capacity to input into legislation.

Certainly, we support consultation. There is no doubt at all about that. Quite seriously, I would have absolutely no trouble in making available to whoever would like it a list of the people we consult with. In fact, that information is usually made available. I have no problems at all with that, but the rest of this motion would simply slow everything down. It would be self-defeating. I believe that it would be a waste of everybody's time here. It would achieve a cyclic form of consultation that had no end point. I think it would produce consultation fatigue in the community. It would not be consultation that had a point; it would be consultation for the sake of it. We believe that consultation is about being available to the community. As I have already said, my Ministers will be available on a regular basis at community centres. It is about having an obvious way for the

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community to input into this Assembly. It is also about having a very obvious way for this Assembly itself to consult via our committee process. We will do everything in our power to ensure that that process has a bigger role in this Assembly. If we achieve those things, I believe that the people of Canberra will believe that they are getting value for their dollar from this Assembly.

MR MOORE (12.22): Mr Speaker, the situation with consultation is very interesting. I have a growing feeling that the way we are using the term “consultation” has more to do with delay and creating problems. In speaking against this motion, I do not deny that many of the ideas that Ms McRae is suggesting are very positive. I think that the Government would do well to take note of some of those ideas. However, if a motion requiring details of consultation should an amendment be moved to legislation were to apply to all members putting up legislation, it would create for me a bureaucratic nightmare.

There are times when consultation on legislation is entirely appropriate and there are times when it is not appropriate. I understand that the last part of Ms McRae's motion recognises that, in asking for an explanation if no consultation took place. Last week I introduced a broadcasting Bill. Part of the reason that no consultation took place is that the Bill is on the table as part of the consultation process. That particular legislation is restricted in its impact to people here in the Assembly and to media people who deal with us all the time.

I suppose that in one sense consultation took place on that Bill, but consultation also takes place after a piece of legislation is tabled in its final form. On occasions there are draft pieces of legislation. It seems to me that, the more restrictions we put on the way we do things, the more public servants we are going to need to meet those requirements. Remember, Mr Speaker, that we are not talking about just the legislation we see before us now; we are also talking about subordinate legislation. Sometimes in this house we have 40 or 50 pieces of subordinate legislation tabled. Under this motion, for each of those 40 or 50 pieces of subordinate legislation there would have to be a six-point plan on the process of consultation followed. One wonders, Mr Speaker, whether this really would give us a more efficient public service.

Ms McRae: They do it elsewhere.

MR MOORE: Ms McRae interjects to say that they do it elsewhere. That may be so. I would have no resistance to the Government doing this as part and parcel of their normal approach. It is interesting that Labor decides that it is a very important thing to do now that they are not in government and they do not have to do it. There is some great irony in that, Mr Speaker, because this is the same party that in government prided themselves on their consultation processes. There were a number of times when the consultation processes were extensive. I can think of a number of Bills that Mr Connolly introduced after a first draft and even a second draft. I think the Bill of Rights Bill may have had a second draft. There was certainly a discussion paper, then a first draft and then some options. There was a whole series of stages. I am not being critical about that consultation that took place. I am critical about setting in place a restrictive mechanism that requires such a process for every piece of legislation.

If we were to support this motion, we would be setting up a situation where we would need more and more bureaucrats in order to meet the requirements of the process. That may well be appropriate in some people's minds. In my mind, one of the reasons that there was a change of government was that people wanted to see a more efficient system; but that is not to deny that the Chief Minister did talk about a much more consultative approach by her government. How she structures that consultative approach is something that I want to watch. If it is done entirely unsatisfactorily, Ms McRae may well be able to come to me with this motion and say, "You did not support it last time, but look what they have done. It is bloody hopeless. Will you be prepared to support it this time round?". At this point, Mr Speaker, I am not prepared to support such a restrictive motion.

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

Sitting suspended from 12.28 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Employment Predictions

MR WOOD: Mr Speaker, my question is directed to Mr De Domenico as Minister for Business, Employment and Tourism. The Canberra tourism strategy which you recently released predicts that there will be 20,000 new jobs created over the next eight years. Your ministerial colleague Mr Stefaniak said, as reported in the *Canberra Chronicle* of 27 April, that it would be 40,000 jobs. Which figure is correct? Do you accept the prediction in the tourism strategy?

MR DE DOMENICO: I thank Mr Wood for his question. I believe that my figure is correct, but I hope that Mr Stefaniak's is.

Shell Service Stations - Wanniasa and Charnwood

MR MOORE: Mr Speaker, my question is directed to Mr Humphries, the Minister for Consumer Affairs. I indicated that I would be asking a question along these lines. The Shell service stations at Wanniasa and Charnwood have been notified that as from 17 May 1995 and 26 May 1995, respectively, their leases will be terminated by the Shell Co. of Australia Ltd. Both of these dealers are experienced and successful small business operators in the ACT. The Shell Co. of Australia Ltd is intending to create a monopoly of Shell-owned petrol sites in the ACT. The Minister, I am sure, is aware that these moves will impact very negatively on both consumers and owners of petrol sites. What action is the Minister taking to address the immediate problems of those takeovers in Wanniasa and Charnwood and the problem of limiting ownership by oil companies in a particular jurisdiction?

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MR HUMPHRIES: I thank Mr Moore for the question, because it is obviously an issue of very great concern to some of those franchisees at the moment and an issue which I think the Government of the Territory cannot afford to overlook. It is clear that we have a number of moves occurring at the present time in the ACT by the major oil companies to reduce the level of competition which exists by further control over the number of franchisees and operators retailing petrol in the ACT.

Members might be aware that there is legislation at the Federal level called the Petroleum Retail Marketing Franchise Act 1980, which actually limits the number of petrol retail outlets that a single petrol company or other operator can control across the whole of Australia. However, members may not be aware that that limitation or that restriction in that Commonwealth Act does not in fact apply on a jurisdiction-by-jurisdiction basis. While it limits the number of sites that a particular company might own - and I think the figure is 5 per cent; but I could be wrong about that - it does not stop such an operator potentially controlling all the sites in one jurisdiction, particularly a small one like the ACT.

I regard it as a matter of some concern. In my view, there is a very real need for this Government to be sending a signal to petrol companies - in this case, particularly to the Shell Co. - that we are not prepared to stand by while the existing competitive mechanisms within the ACT are eroded. This place has debated on previous occasions whether the government should enhance or change those mechanisms. We will certainly be having further debates, I am sure, in this place about whether particular measures introduced by the previous Government are appropriate. In my view, obviously, it is extremely important to ensure that there are a range of players, really independent of each other, operating in the ACT market. If that is not the case - it should be - that level of competition should be protected. I have already asked that the question of restrictions on the number of retailing sites owned by a particular operator within a particular jurisdiction be placed on the agenda for the next meeting of Consumer Affairs Ministers. That meeting will take place in August. I am hoping that there will be some discussion at that stage about what steps we might take to restrict that policy.

It is also the case that the ACT should immediately examine - and it is currently examining - the question of limiting by legislation those sites in the ACT that any one operator might own. That is our policy. Our view is that this should be examined at least. I am not aware of any legal reason why the ACT could not take on board that question and legislate to prevent an operator controlling more than a certain percentage of the sites in the ACT.

Mr Connolly: We would fully support you on that.

MR HUMPHRIES: I note and accept the support offered from the other side of the chamber on the matter. The Trade Practices Commission has been notified of our intention to consider that matter. I believe that this is an issue that other jurisdictions would be prepared to take up. I am not indicating what the outcome will be, but I think that the companies concerned should be aware that they do not have any bosom buddies in this Government; that, if their interests conflict with the interests of a competitive retailing market in the ACT, they had better watch out, because those interests certainly will not be respected by this Government.

MR MOORE: I have a supplementary question, Mr Speaker. The Minister referred to looking at previous action that had been taken. I presume that he was referring to Mr Connolly. I wonder what you will do, Minister, to ensure that you outshine the previous Consumer Affairs Minister's performance in terms of ensuring lower petrol prices in the ACT.

MR HUMPHRIES: Mr Speaker, I do not know that I will go to the point of putting little rosettes on the bottom of my press releases indicating that I have won. Sooner or later I expect to see a sort of a crown hovering above the letterhead on Mr Connolly's press releases. I do not intend to be pursuing any particular issue for that kind of gain; I am looking at pursuing this issue in order to protect consumers in the ACT through guaranteeing a genuinely competitive market and taking other steps, which this Government views as reasonable, to increase the likelihood that prices will stay low and be lower, if possible. An obvious measure among those, of course, is the issue of government franchise fees on petrol sales in the ACT. As I have said many times before, and I say again, that is a major contributor to the cost of petrol. Both ACT and Commonwealth charges contribute very significantly to the cost of petrol. Mr Connolly does not seem to understand that. But I think members should be aware that, when one goes to the petrol pump and pumps petrol into one's car, more than half of the total amount in dollars that one is putting into one's car goes in Commonwealth and Territory taxes. That is an issue that this Government will be very keen to pursue.

The question of refusing to permit other operators to compete in the marketplace is another issue that we will be examining. If necessary, we will explore the possibility of bringing forward legislation to do that. Members should also be aware that the moves initiated by the previous Government to permit so-called independent operators to operate in the ACT are moves that were well in train at the time that this Government took office. We indicated at that stage, and I repeat now, that we are not in the business of breaking legally binding contracts. As far as I am concerned, there were legally effective contracts for leases offered to Gull Petroleum from Western Australia to provide outlets at Belconnen and Tuggeranong - - -

Mr Connolly: Signed and sealed.

MR HUMPHRIES: Signed and sealed, as Mr Connolly points out. As a result, this Government will honour those arrangements and will not stand in the path of Gull Petroleum providing petrol or selling petrol from those sites.

Mr Berry: Or cannot, you mean.

MR HUMPHRIES: I think that Mr Berry would be surprised at how difficult the Government could be if it set its mind to do that. Perhaps he would not be surprised. We certainly could make life very difficult, but we are not going to.

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However, the question of the site at Phillip, which the previous Government had also at least tendered for at one stage, is off the agenda at this stage. In our view, that is not a site that deserves to go to this process at this point. We will have the opportunity now of seeing what level of competition is engendered by this policy which Mr Connolly very much left in place, at least to the extent of three sites in the Territory. I maintain now, as I maintained at the time that this debate happened before, that that would not produce significant changes in the ACT marketplace; and, if it did, it would produce them at the expense of existing ACT businesses. This would be a great tragedy, if it occurred. However, it is the case that this Government will be making sure that it does its best, within the limits of fairness and decency, to bring down and keep down petrol prices in the ACT.

Employment Predictions

MS FOLLETT: I direct a question to the Chief Minister. Mrs Carnell, the tourism strategy actually says that there will be jobs growth over the next eight years of 20,000 jobs, with a one-for-one flow-on into the rest of the economy. That is a total of 40,000 jobs. That is in the document released by Mr De Domenico. By my figuring, that gives you 5,000 new jobs each year. You were quoted in the *Canberra Times* on 18 April as predicting a growth in employment of 1.5 per cent, or 2,300 jobs a year. Given these facts, I would ask, Chief Minister: Do you propose to sack 2,700 public servants every year for the next eight years, or is the private sector in all areas other than tourism to shed 2,700 jobs a year? Is that because of your Government's failure to manage the ACT budget and to encourage growth in the ACT economy?

Mr Humphries: We have been here for only two months.

MR SPEAKER: Order! Order, from the Government benches. Let the Chief Minister respond.

MRS CARNELL: The 1.5 per cent figure was the projected figure by Treasury if no policies of the previous Government were changed. That was what was going to happen if the previous Government had stayed in office and had continued its policy direction. It is certainly not the figure now that we are in power and have policies that actually encourage business, encourage tourism and encourage people to employ.

Visiting Medical Officers - Contracts

MR CONNOLLY: Mr Speaker, my question is directed to Mrs Carnell as Minister for Health and Community Care. I am wanting to know, as we have asked before: As of today, how many of Canberra's visiting medical officers have signed contracts with the Government? How many of these represent changes from fee-to-service to sessional contracts? I ask again, as I have asked repeatedly: Will you table in the Assembly a justification or reconciliation of the cost under the pre-existing contractual arrangements and your claimed savings? Will you actually produce some facts to back your rhetoric?

MRS CARNELL: This is almost exactly the same question as I answered last week; but the figures have changed somewhat, because last week I told you that 10 per cent of VMOs had signed contracts. That figure has now doubled. We are now up to 20 per cent. The number is increasing every day. Yes; when all the contracts are in and when we have a reconciliation, it will be tabled. Certainly, I would assume, as I said before, that the Public Accounts Committee and the Estimates Committee will look at it fully.

Woden Valley Hospital Car Park - Needle Incident

MR KAINE: Mr Speaker, through you, I direct a question to the Chief Minister and Minister for Health and Community Care. Minister, are you aware of a report of a needle stick injury that occurred in the Woden Valley Hospital area this week? If so, what were the circumstances; and what is your department doing to reduce the risk of such a thing happening again?

MRS CARNELL: This was a very regrettable incident. The boy was injured when another child found a needle hidden in a hedge and, in the play that followed, the boy was stabbed in the palm of his left hand. His mother took the child to a doctor at the Alcohol and Drug Service clinic, who immediately disinfected the wound and advised the mother to take the child for a hepatitis vaccination. This occurred. Testing for other infections will occur, obviously, over the next few months. The incident occurred in a small car park at the hospital which is not for public use, although it is quite often used by the clientele of a nearby service.

The hospital grounds are regularly scoured for needles which have been improperly disposed of. The Alcohol and Drug Service regularly advises injecting drug-using clients to dispose of needles in sharps containers provided in the hospital clinic. Thankfully, most do so. I have asked for more sharps disposal units to be provided outside the clinic and for the clinic to advise clients, through the client representative groups, not to drop needles and certainly not to hide them in hedges. I understand that on Tuesday afternoon the incident was discussed with client representatives, who expressed their concern and will talk with their members.

Clinic staff are also monitoring the use of drugs around the clinic to discourage this occurring again. I have asked the Alcohol and Drug Service to brief me on further action which can be taken to eliminate this sort of incident in the future. It should be noted that most drug users do dispose of their syringes either in sharps disposal units or at needle exchanges. A few irresponsible users just drop them; and it is not uncommon, unfortunately, for people to find syringes. When this occurs, people should contact the Department of Urban Services sharps hotline on 207 5959, listed in the *White Pages*, which has procedures and equipment to dispose of needles. The public should take great care when handling needles, and parents should warn children not to play with such objects.

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This is an extremely regrettable incident which highlights the need for everybody to be much more careful and to know exactly what they are doing with syringes. It is very important that children are aware of what syringes look like and just how dangerous they are. I take this opportunity to highlight the need for the public to be careful about handling improperly disposed of syringes and to make sure that children know exactly what they look like; that they are not toys. We certainly are pleading with the few, and I say "few", irresponsible injecting drug users to take care when they dispose of their syringes.

Belconnen Swimming Facility

MR BERRY: My question is directed to Mr Stefaniak in his capacity as Minister for Sport and Recreation. I note that the Liberals are not limited by their imagination when it comes to speculation about new jobs. I wonder whether that same problem has occurred in relation to construction costs in the ACT. I have not seen any evidence of a massive drop in construction costs, but Mr Stefaniak has committed the Government to a swimming facility in Belconnen equal to or better than the Tuggeranong facility. He says that he will be able to do that for \$3.5m. We know that the Tuggeranong pool cost in excess of \$10m on a tender basis. I ask the Minister: Does he concede that he has misled the people of Belconnen, either on the basis of the provision of a facility equal to or better than the Tuggeranong facility or on the cost?

MR STEFANIAK: The short answer to that is no. Mr Berry continues to display his total ignorance in matters of finance. Mr Berry, I have been told that we could build a similar facility for \$3.5m.

Mr Berry: Equal to or better, you said.

MR STEFANIAK: Mr Berry, if a facility equal to or better than the one at Tuggeranong could be built for less than \$10m, we would be a very stupid government if we did not do that. I was approached late last year by a developer who is building pools for the Sydney 2000 Olympics and who reckons that he could do it for about \$3.5m. I hope that he is right. If he is, that would be - - -

Mr Berry: What - a 2½-lane pool or a - - -

MR STEFANIAK: No, Wayne; it is quite a good pool. If that is the case, obviously that would be the most sensible thing for any responsible government to do.

Mr De Domenico: It has water in it, even.

Mr Berry: Construction costs have not fallen that much, have they, Tony?

MR STEFANIAK: Mr Berry, maybe you are a little behind the times. Technology does advance. I thought that this was a particularly good suggestion by one developer. There may well be many other developers who could do something equally as good. It behoves any responsible government to look at as many avenues as possible to build decent facilities and to keep the costs down. If we can build for \$3.5m something which you might have paid \$10m for, then you can bet your bottom dollar we will do that.

MR BERRY: That is very good.

Mr Stefaniak: This is a supplementary question, is it?

MR BERRY: We will look forward to the outcome and - - -

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

MR BERRY: Indeed I do, Mr Speaker.

MR SPEAKER: Then would you mind asking it.

MR BERRY: Not at all, Mr Speaker.

MR SPEAKER: Thank you.

MR BERRY: Not at all. We have another commitment from Mr Stefaniak to a community consultation arrangement in relation to the development of this pool. Could Mr Stefaniak tell us whether he is going to stick to that commitment; when the consultation group will be set up; and how that will appropriately represent the people of Belconnen and the sporting community?

MR STEFANIAK: Some consultation has happened already; and there will be further consultation, Mr Berry.

Mr Berry: With whom?

MR STEFANIAK: In fact, this Government, when it was in opposition, actually did a survey of Belconnen residents. We have that. There will be further consultation. As I indicated to you, I think some weeks ago, the form of that consultation, the groups to be set up and the way in which it will be measured will be advised shortly, Mr Berry. I cannot tell you exactly how that is to occur at this point in time. This Government is working on that.

Gungahlin - Road Links

MS TUCKER: I address this question to the Minister for Urban Services, Mr De Domenico. Some years ago the Government considered proposals for new roads to link Gungahlin with central Canberra, as well as upgrading Majura Road. Among proposed roads were the John Dedman East Parkway that would cut through O'Connor Ridge, Black Mountain and the National Botanic Gardens; and Monash Drive that would go along the base of Mount Ainslie. During this term of office the Government will have to address transport options for Gungahlin, and it is essential that these transport links do not disturb the natural environment or the amenity of residents of North Canberra. Is the Government considering this matter? Are there any detailed plans to go ahead with the routes that I have mentioned? Is public transport being considered as a priority?

MR DE DOMENICO: I thank Ms Tucker for her three-pronged question. She asked me whether it has been considered in terms of transport to Nicholls. The answer is yes. She also asked whether there are any forward plans for the building of those roads. The answer is no, as far as I am aware. The third question was whether we are considering public transport. The answer is yes. Can I also say that one of those forms of public transport that we are considering and will consider will be light rail.

MS TUCKER: I have a supplementary question, Mr Speaker. Is the Government committed to going ahead with stage 4 of the study into Canberra's future transport options?

MR DE DOMENICO: At this stage I will be taking to Cabinet as part of the September budget a proposal which will include things like that. You will find that this Government is very keen to look at all possible options in terms of public transport, especially those that take into account our environment.

Ministerial Consultation

MS McRAE: My question is directed to Mrs Carnell in her capacity as Chief Minister. Chief Minister, you made a promise - you talked about it this morning - that you and your Ministers will be available on a regular basis to meet members of the general public. When and where will these meetings be?

MRS CARNELL: They will start next month. They will be at community centres and other community venues all over Canberra. They will be advertised in the media.

MS McRAE: I have a supplementary question, Mr Speaker. In a spirit of cooperation and in accordance with your promise to make this a more inclusive Assembly, will you give all members of the Assembly access to similar facilities and support so that we can all meet our constituents on an equal basis?

MRS CARNELL: I am sure that everyone in this Assembly meets with members of the community all the time. Any proposal that anybody else has to meet with the community should be put to me, and I will have a look at it.

Construction Industry - Long Service Leave Levy

MR HIRD: I address a question to the Deputy Chief Minister, Mr Tony De Domenico. Minister, I understand that there has been a reduction in the levy imposed on employee wages in the building and construction industry. Will you inform the parliament what levy is imposed on employees' wages by the Construction Industry Long Service Leave Board and why this impost was not reduced at an earlier date?

MR DE DOMENICO: I thank the member for his question.

Ms Follett: I think we can answer that one.

MR DE DOMENICO: You can answer all of them; but this one, in particular, gives me a great deal of pleasure, as members will know, because some years ago - in fact, in the first year of the Follett Government - there were recommendations made by actuaries and the Long Service Leave Board to the then Minister for Industrial Relations, Mr Berry, suggesting that the long service leave levy, which was then 2.5 per cent, be reduced to 1.5 per cent. I recall that that was in 1991. In 1992 the same recommendation from the same people, once again, came to Mr Berry; with still no reaction from Mr Berry. In 1993, once again the same recommendation from the actuaries and from all the other people came to Mr Berry; and once again Mr Berry sat on his hands.

Mr Hird: As usual.

MR DE DOMENICO: As usual. The majority of Assembly members then supported a private members Bill which called on Mr Berry to do what actuaries and other people had recommended that he do over a number of years. In fact, I recall that at one stage Mr Moore and Ms Szuty said to Mr Berry, "You have another 12 months; and, if you do not do it within 12 months, then this Assembly will have to do something about it". At that stage Mr Berry was given prior warning by members of this Assembly that this Assembly wanted him to act in a certain way. As usual, Mr Berry took no heed of what the community and this Assembly wanted; so, it was left to the Assembly to pass a private members Bill which, in fact, reduced the long service leave levy in the building industry from 2.5 per cent to 1.5 per cent. That meant an immediate input into the building industry of about \$1m.

About two or three weeks ago what this Government did, with the stroke of a pen, once again acting on the recommendations by all sorts of people, including the actuaries, was to reduce it from 1.5 per cent to one per cent - a further half a million dollars reduction in the levy. It was done because currently the long service leave levy fund has an \$18m surplus. The Federal Labor Government in its budget last night put a 12 per cent impost on the cost of building materials. At a time when the building and construction industry, especially the housing area, is going into a slump in the ACT, this Government made a decision, immediately on taking office, which will help the building and construction industry, because the building and construction industry is a big employer of young people in the ACT and a big employer of apprentices.

Medical Evacuation and Rescue Helicopter

MR WHITECROSS: Mr Speaker, my question is directed to Mr Humphries in his capacity as Minister for Emergency Services. I refer Mr Humphries to the generous offer by Dick Smith of a helicopter for the ACT and south-eastern region rescue services. I refer Mr Humphries to the comments of the former president of the ACT Liberal Party and president of the ACT Chamber of Commerce, John Louttit, that he is a little concerned at the practicality of the ACT business community being able to meet the running costs of the helicopter, as is proposed. He said that an examination of all the financial facts needed to be undertaken before we committed ourselves too far down the track. My question to Mr Humphries is: How much has the ACT business community actually pledged to support the helicopter? Can the Minister advise the Assembly which local councils in New South Wales have pledged financial support for the helicopter, and what is the nature of that support?

MR HUMPHRIES: I welcome this question because I hope that this is an indication that the Labor Opposition is at last prepared to start talking constructively about what is possible with respect to this proposal. I accept that there has been a mind-set about this in the past and that we have had a view from the then Government, now Opposition, that this was too expensive and could not be considered. I hope that they realise that there is now an enormous window of opportunity which has opened up for the Territory. It was made possible through the generous offer of Dick Smith to provide this kind of service for the ACT and its surrounding region. Therefore, this presents us with the chance to work together towards providing this kind of service. I say "together" not merely as a matter of rhetoric but because I believe that some in the chamber are continuing to send strong signals that this cannot happen; it is not a good idea; we do not want it; and we do not need it. It sends to those people who are thinking of getting behind the proposal and supporting it with their own money, non-taxpayer money, a message that there might be some danger in doing so. Therefore, it is important for us to be at least accepting the possibility that this could happen and that it is worth supporting.

I have made it clear that we will not be supporting, with any ACT Government dollars, any proposal which we do not believe is capable of being sustained on a permanent basis to keep the helicopter in the air. In other words, if we do not believe that we can see the capacity for the community's contribution to be strong enough and to remain strong enough to meet the cost of that service, we will not back it; it is as simple as that. That is a concern in a sense, because we have had a very generous offer. We do not want to have to say no, thank you, and hand it back; but, if we are not satisfied on those matters, that is exactly what we will do.

I am meeting with Mr Smith this evening and hope to be able to discuss with him the implications of his promise. I have had many contacts from members of the business community in the ACT, many media outlets, many companies involved with aviation, and many general companies in the ACT. All are very keen to help with this proposal.

That ranges from very large organisations in the ACT - multimillion dollar companies - to individuals and small outfits offering to provide some services in kind to make it happen. I believe that people are starting to see that this does create the potential for us to enormously lift the quality of service we offer to certain individuals in need of particular help and that it can be done without the ACT Government contributing a very large sum of money. That is the key to the matter.

I repeat: The ACT Government is not in the business of funding a helicopter rescue service by itself. We see the ACT Government's contribution as being a very small proportion - if we could organise it, nothing at all - of the total cost of running this service, because it must be a community service, a service powered by or driven by a desire to serve the needs of the ACT community and the community of surrounding south-eastern New South Wales.

Mr Berry: It is a different story now.

MR HUMPHRIES: No; that has always been what I have said. I have always said that; and I challenge those opposite who think that that is not the case to indicate where I have said otherwise.

I cannot indicate exactly how much each individual has offered, because that is a matter that we have said to those individuals we will have to negotiate. In many cases they have not specified a dollar amount but have said, "We would like to talk to you about what we can offer". We have come back and said that we need to get the mechanisms in place to know what kind of service we are going to run before we know how much we will need and, therefore, how much we would be seeking from individuals or companies willing to make that offer. But that work will be done comprehensively and thoroughly before we commit the ACT to that process. That is my assurance to members opposite and to the broad community.

MR WHITECROSS: Mr Speaker, could I ask by way of supplementary question: Mr Humphries, you did not mention New South Wales local government councils in your answer. I was wondering whether you would do so. Could you also advise the house what you see as the bottom line for the ACT? When you say that you are not going to fund it unless you get enough support to keep it in the air, how much is the ACT Government willing to contribute towards the running costs of the helicopter?

MR HUMPHRIES: I will take that second part first. It is a little hard to answer that question when we do not know exactly what kind of service we should offer or could offer for the ACT. We have been offered a very good quality helicopter - a Sikorsky 76A, I think it is called - a helicopter of enormous capacity which, as I indicated the other day, was previously owned by the King of Jordan. I am not sure that we actually need a helicopter at that level of service in the ACT. Members will have seen reports in the media that we are considering, if it is appropriate, accepting the gift and then selling the helicopter in order to buy one that is more sustainable by the ACT and the community. If that is the case, then we are obviously looking at a lower level of contribution by all concerned; and the ACT's bottom line, therefore, is lower as well.

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It does seem to me that, if the community of this Territory and the surrounding regions is prepared to put in, let us say, a couple of million dollars a year or half a million dollars a year, whatever it might be, the ACT should provide some amount towards that cost which would be reasonable in the circumstances. I have indicated, for example, in the past that I think that the ACT should not need to contribute more than 10 per cent of the total cost of this service. That may well be, at the end of the day, at the upper limit of what we could or should offer.

Mr Whitecross also asked about the surrounding shires. I have had a number of meetings with surrounding shire and city council leaders. I had a meeting last year which the then Opposition Leader attended. I cannot remember the names of the people that were there, but members of the Queanbeyan City Council, Yarrowlumla Shire Council and Goulburn City Council were there. I think that Tumut was also represented. I can get Mr Whitecross a list of those who attended that meeting, if he likes. I have since had contact from a number of other shires, indicating their desire to help. One particular call was from the mayor of a shire to the south of the ACT who was very keen to organise fundraising activities in his shire. I am sure that the others are in the same boat. The enthusiasm is there. I appeal to the Opposition not to dampen that enthusiasm unnecessarily unless and until it is clear that the service is not sustainable by the ACT.

Water Pollution - Ginninderra Creek

MS HORODNY: Mr Speaker, my question is directed to the Minister for the Environment, Land and Planning. The Minister will be aware of the polluted state of Ginninderra Creek. In an article in today's *Canberra Times* Graham Cooke reports that several groups, including the Ginninderra Wetlands Care Group, are working to prevent the destruction of Ginninderra Creek from toxic urban run-off; dumping; willow growth; and polluted water from the Lake Ginninderra spillway. Given the significance of this creek and its vulnerability, what steps is the Government taking to ensure that volunteers, community organisations and sections of the bureaucracy are adequately resourced to ensure that the pollution at Ginninderra and at many other sites throughout the ACT is appropriately addressed?

MR HUMPHRIES: I thank Ms Horodny for this question because obviously residents, particularly of her electorate, will be concerned about the way in which that creek clearly is being degraded. In that respect, the picture in this morning's paper certainly spoke a thousand words. The Government recognises that creeks in Canberra's urban area, such as Ginninderra Creek, are very vulnerable to pollution because of their proximity to the urban interface. However, we are committed to taking advantage of the opportunity for neighbouring communities to assist in protecting and upgrading, where already degraded, those particular waterways.

An important part of water quality protection in our urban areas is Canberra's pollution control infrastructure, which is designed to intercept rubbish and pollutants prior to their entry into the waterways themselves. Ginninderra Creek has a catchment downstream of Lake Ginninderra which incorporates the northern and western suburbs of Belconnen.

It has been identified as a priority area for the upgrade of permanent water pollution control facilities. Construction has recently commenced on two gross pollutant traps at Latham, which are designed to intercept rubbish and sediment before their passage into Ginninderra Creek. These traps will also service the suburbs of Higgins and Charnwood, with further traps planned for other northern Belconnen suburbs. We also recognise the need to minimise the transport of sediments from building sites in the developing areas of Canberra into our waterways. We are currently focusing particularly on building sites in the Gungahlin area.

In relation to the issue of rubbish removal from Ginninderra Creek, I understand that officers from the Department of Urban Services have today inspected the site with a view to taking appropriate clean-up action. The enthusiasm shown by community groups for improving the environment in and around Ginninderra Creek, I think, is very encouraging. The Government actively supports these groups through its promotion of the national landcare program in the ACT. Later this afternoon I will be making a statement about landcare.

The Government's support for groups like the North Belconnen Landcare Group includes the provision of technical advice, practical support and skills development. I must say, as I will say later this afternoon, that the contribution of those organisations saves the ACT purse an enormous sum of money and should be encouraged by every member of this place. It is anticipated that continuing cooperation between the Government and the community will result in such activities as tree planting and willow and weed removal from in and around Ginninderra Creek. As I said, the broader community has a role to play in ensuring that, in the first place, we do not dispose of rubbish in a way that contributes to this problem. Our open spaces obviously should not be used as a dumping ground, either for individuals' wastes, or those of, say, builders. We need to be taking very careful steps to ensure that we remind people all the time of their responsibilities in that area.

I had the pleasure of going to Charles Conder Primary School a few weeks ago to launch Water Week. I was told what the students at that school were doing about a nearby small creek that flows close to the school. Apparently, this creek has no name - so they tell me, anyway - and I said to them, "You are doing such a good job of looking after this creek that we would like you, the school, to choose a name for this unnamed creek. You will then have the special responsibility of looking after that area of Canberra". That is one way we can get communities - in this case, school communities - to start to take a proprietorial interest in the welfare of waterways and other areas in their surrounding communities. The signs there are very good. Perhaps the present generation is more in need of education about these things than the younger generation.

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

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ACTON PENINSULA

Mr Berry: Mr Speaker, I raise a point of order. Yesterday, Mrs Carnell promised that she would take some advice in relation to some leases and bring it back to the Assembly. She also promised the day before to table some leases. Have they been submitted to you, sir?

MR SPEAKER: I must admit that I raised the same question. I have not seen them yet, Mr Berry; but I think it is fair to say that, if the Chief Minister said that she would provide this information, she will do so. I do not know that any time was set for this information to come forward.

Mr Berry: It appears not.

MR SPEAKER: I accept the argument that the Chief Minister has agreed to make this information available. I have no doubt that she will do so in due course.

Mr Moore: On the point of order, Mr Speaker: Standing order 118A provides the 30-day rule, which was introduced by you, as I recall. It provides that in relation to answers to questions on notice, including questions taken on notice during question time. Mr Berry ought to know that the 30-day rule certainly applies.

Mr Berry: I am sorry; Mr Moore has got it wrong. It was a commitment that we received; it was not a question.

Mr Moore: Are you talking about the timing?

MR SPEAKER: It was a commitment. I have no doubt that it will be honoured in due course. I have enough faith in the Chief Minister to know that she will deliver. I equally have enough faith in the Assembly to know that, if the Chief Minister does not deliver, she will certainly be asked to do so by a very vigilant opposition, Mr Berry.

PUBLIC ACCOUNTS - STANDING COMMITTEE Report on Review of Auditor-General's Report No. 2 of 1994 - Government Response

MRS CARNELL (Chief Minister and Minister for Health and Community Care) (3.12): Mr Speaker, for the information of members, I present the Government's response to Report No. 18 of the Standing Committee on Public Accounts of the Second Assembly, which related to their review of Auditor-General's Report No. 2 of 1994 on health grants. I move:

That the Assembly takes note of the paper.

In May 1994 the Auditor-General presented to the Legislative Assembly report No. 2 of 1994 on ACT health grants. The report assessed the overall effectiveness of the management of health grants made to various ACT organisations. It also assessed the department's efficiency in administering these grants. The Public Accounts Committee

discussed the report with the Auditor-General and his officers on 6 June 1994, and also with the Acting Chief Executive of the Department of Health on 20 June. Following further consideration, the PAC report on the review of the Auditor-General's report was tabled on 7 December last year. It made three recommendations and two requests.

The Department of Health and Community Care has noted the recommendations made by the Standing Committee on Public Accounts. It either has implemented them or is currently taking action to implement them. The department has also prepared responses to the requests of the committee included in the report. The committee's recommendations and requests have assisted the process of continued improvement in the management of grants within the Department of Health and Community Care.

Question resolved in the affirmative.

NATIONAL HEART WEEK Ministerial Statement

MRS CARNELL (Chief Minister and Minister for Health and Community Care): I ask for leave of the Assembly to make a ministerial statement on National Heart Week.

Leave granted.

MRS CARNELL: This week is National Heart Week and in the Assembly today I would like to address this subject and the direction the Government intends to take in the area of cardiology. Cardiovascular disease is the largest cause of death in Australia today, killing around 53,000 men and women a year. That is one Australian every 10 minutes. Sadly, heart attack is the greatest single cause of premature death for both men and women. In the ACT both male and female cardiovascular death rates per 100,000 are lower than in the rest of Australia. However, the differences within age groups are relatively small. The 1989-90 national health survey and the 1989 national health foundation study showed the ACT to be significantly better than or similar to the Australian average in terms of cardiovascular conditions and health risk factors. There is, however, no room for complacency. I am not saying that the Government is able to stop people from dying of heart attacks, but we can work towards lowering the numbers through better health practices and awareness programs.

A major initiative was the development of "ACT Health Goals and Targets for the year 2000", which was released by the previous Government. I think they should be congratulated for that. The chapter on cardiovascular health is quite specific in its direction. The goals are: To increase coordination between ACT cardiovascular services and agencies; to reduce mortality due to cardiovascular conditions; to reduce the prevalence of cardiovascular risk factors in the community; and to improve the quality of life of people with cardiovascular conditions. The Department of Health and Community Care, in partnership with community and other interested agencies, will strive to achieve these goals. One major factor in achieving these goals will be the continuing work of

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groups like the National Heart Foundation. The National Heart Foundation was formed in the late 1950s, making it one of the oldest health care groups in Australia. Its staff are involved in research and education, with a very high success rate in bringing down the number of people dying from cardiovascular-related illnesses.

Public awareness does need to be heightened. Recent surveys suggest that Australians do not see cardiovascular death as a high priority for public action. It does not rate nearly as high as HIV/AIDS or even cancer. Although there are decreasing trends in the number of Australians smoking, or those with high blood pressure, there is no clear improvement in either lipids, that is things like cholesterol and triglycerides, or, for that matter, exercise patterns. Even worse is the alarming increase in both men and women who are overweight. These patterns pose a new challenge for doctors and others, with the threat of a plateauing of improvements in cardiovascular health and possibly a resurgence in cardiovascular disease. The ACT branch of the National Heart Foundation needs assistance, and that includes financial support. The Heart Foundation is hoping to increase its funding through the Heart Week appeal. This will enable it to increase its research projects and, importantly, its education programs.

I am pleased to be able to detail the support given to the National Heart Foundation for the promotion of the heart health message. Over the past year there has been a commitment of over \$60,000 to the Heart Foundation for projects running for the 1994-95 and 1995-96 financial years. These include acting as the supporting sponsor of events and programs assisted through the Health Promotion Fund. I am sure that Mr Stefaniak will be most interested in the fund's support through sporting programs, including netball, touch football, volleyball, Australian football, indoor cricket, orienteering, ice-skating, and woodchopping at the Canberra Show. In the arts, support is provided for the National Folk Festival; for Gaudeamus's involvement in the very successful *Carmina Burana*; and, most recently, for Dance Week, which was something I had great pleasure in watching last week and which went very well, I think. Through all of these avenues the important message of the effects of smoking and the need for good nutrition is being promoted. Both the Health Promotion Fund and the health grants program have acknowledged the importance of focusing on cardiovascular disease and will use "ACT Health Goals and Targets for the year 2000" to focus their efforts for 1995-96.

In line with the goals of pursuing cardiovascular health and as part of the Government's health policy, we will be establishing a cardio-thoracic unit at Woden Valley Hospital. This unit will serve both the ACT community and the surrounding districts. It will be carefully planned and will be at least the equal of the long-established units in Sydney. I anticipate that the unit will become operational towards the end of 1996. The existing cardiology unit at Woden Valley Hospital is currently working towards advancing its echo-cardiographic techniques with the introduction of two ultrasound machines. One of these machines has the capacity to detect abnormalities in heart muscle movement. One of the cardiac programs at Woden Valley Hospital is recognised throughout Australia as one of the most comprehensive in cardiac rehabilitation. I am advised that other hospitals and health regions are using it as a standard. The program involves education, graduated exercises and collaboration with the Australian Cardiacs Association. More than 540 patients have taken part in this program - - -

Mr Berry: In seven weeks?

MRS CARNELL: No, not in seven weeks, Mr Berry; but more than 540 patients have taken part in this program following cardiac surgery. An evaluation of the program by the Department of Psychology has found that the majority of patients feel that it has been a great benefit in helping them to establish confidence to return to both a reasonable lifestyle and employment. Already much has been achieved in providing a first-class cardiac service in the ACT, and I am pleased that a \$6,000 grant in 1994-95 has been put towards extending this service to Calvary Hospital.

I would like to congratulate all those people involved in the prevention of heart disease, including the National Heart Foundation, for their dedicated work in lowering the number of people who suffer and die from cardiovascular disease in the ACT and in the surrounding region. I would also like to commend the previous Government for their development of the health goals and targets document, and for their support for initiatives in the area of heart health and cardiology. I am confident that we can continue this bipartisan approach - except possibly for Mr Berry - in combating one of Australia's biggest killers. This is an important issue for the ACT, and I think it is unfortunate that Mr Berry, even on this issue, simply cannot accept that we can work together. I table the statement and I move:

That the Assembly takes note of the paper.

MR CONNOLLY (3.22): When the Health Minister gets up and makes, basically, a non-political statement about an important issue of public health, and is prepared to acknowledge in that statement that this is an issue that goes across governments and - - -

Mrs Carnell: It did not help him.

MR CONNOLLY: I think it was appropriate for Mr Berry to raise the question of whether all these good things had happened in the last seven weeks; but I was pleased to see that at the end of your speech you did have the grace to acknowledge that many of these good things had occurred over time. When the Health Minister makes such a statement, she is deserving of the Opposition's full support, which she has. The only other thing I want to add is my congratulations, and Mr Berry's, to Dr Howard Peak and his team who set up that cardiac rehabilitation program during the period of Mr Berry's stewardship of ACT Health. It is a program which, as the Chief Minister noted, has been seen as a model around Australia. It is an example of innovative health programs being adopted in the ACT. I was delighted to hear Mrs Carnell's comment that we do have a first-rate cardiac facility at Woden now, as far as it goes. It is a little further away from the description "Third World medicine" that we used to hear from the then Opposition; but one's perception does change in government, and I am delighted that Mrs Carnell does acknowledge that. In relation to the commitment to move forward on the cardio-thoracic surgical front, that, of course, we welcome. That equally was an initiative that we made some announcements about late last year and in the election context. It is something that should proceed apace, with the support of both sides of politics because we were essentially moving in the same direction.

Question resolved in the affirmative.

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COMMUNITY LANDCARE VOLUNTEER PROGRAMS **Ministerial Statement**

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning): I ask for leave of the Assembly to make a ministerial statement on the Government's support for community landcare volunteer programs.

Leave granted.

MR HUMPHRIES: I thank members.

Mr Wood: I had three years looking after that and I never once made a ministerial statement.

MR HUMPHRIES: You must not interject so much, Mr Wood. It is very bad for your blood pressure.

Mr Speaker, today I would like to speak about government support for community landcare volunteer programs. The Government has already begun work to fulfil a number of election commitments contained within our policies on the environment and on volunteering in the ACT. The policy on the environment noted that environmental sustainability cannot be achieved by government alone. It has to be a partnership with the community, involving efficient management, proper resourcing and effective incentives, together with openness by government and genuine consultation in decision-making. The policy on volunteering that we issued before the election sought to provide adequate resources for training of volunteers and managers of volunteer programs, and for increasing opportunities for individuals to volunteer in a range of interest areas.

Over the past five years landcare has grown beyond the status of a government-funded program to become a major social movement, with tens of thousands of Australian volunteers actively engaged in projects to protect the quality of land, water and wildlife resources. The halfway point in the Decade of Landcare has been an opportune time to review the success of such programs in the ACT. The ACT Parks and Conversation Service and the ACT Office of the Environment within the Department of the Environment, Land and Planning work with and support a very wide range of community landcare groups. These landcare groups operate over different categories of land, with different emphases in their activity. Through nearly a hundred such groups, many hundreds of volunteers contribute thousands of hours of unpaid effort. This work, if paid for directly by the ACT community, has been valued at over \$1m. On a recurrent basis, the work has the potential to reduce the continuing bill to the ACT by even greater amounts. For example, each hectare of irrigated grassland converted by volunteer workers to more sustainable native landscapes saves at least \$6,000 in maintenance each year and up to six million litres of precious water. The additional value to the community from the participants' involvement, skill training and comradeship is, of course, beyond monetary estimate.

I want to talk, Mr Speaker, about the community landcare groups and their support from the Environment and Culture Division of my department. These groups include park care groups which relate to a number of areas of Canberra Nature Park, the Murrumbidgee River Corridor, and Tidbinbilla Nature Reserve. Their focus is generally indigenous native vegetation and related weed control, with some also assisting with survey and monitoring roles. Groups with an urban landscape focus, many identifying themselves as landcare groups, are distributed across Canberra and tend to focus on native vegetation and/or weed control, although some have a particular ecological or wildlife emphasis. Other groups include rural groups, identifying themselves as landcare groups, or catchment protection groups. These relate to the Paddy's River catchment, the Royalla-Williamsdale area and Pialligo, with a focus on coordinated approaches to land degradation problems such as erosion, salinity, vegetation loss, and so on. Another group is paddock carer groups for horse holding paddocks, some identifying themselves as landcare groups. These vary in their depth of activity from serving as a point of contact to preparing land management strategies involving revegetation and erosion control.

School-based groups, which I referred to earlier this afternoon, have a diverse range of focused activities. These are distributed across Canberra, with some development of coalitions based on educational clusters. Some identify themselves as park care juniors or junior landcare groups. Waterwatch groups, supported by the Office of the Environment, engage in very significant environmental monitoring. Other community groups have emerged with a specific focus which is not part of a system as such, such as the newly formed friends of grasslands group and community groups such as those which assist at the Namadgi National Park and Googong foreshores without assuming a care group title. They tend to have different focus activities, such as revegetation, hut restoration, track development and interpretation, et cetera. Another group is the Australian Trust for Conservation Volunteers, which assists with a wide range of on-ground activities in a number of areas, and there are representatives of community groups in mechanisms for landcare-related planning and policy development, grant assessment, judging awards and other activities, through representation on consultative mechanisms within the Environment and Culture Division.

Mr Speaker, over the past five years, and in particular over the last two years, the ACT region has been experiencing very rapid growth in levels of community participation in landcare projects, the most rapid growth being in and adjacent to the urban area. This growth in demand has coincided with three things: First of all, ACT self-government and the attendant realities of managing the Territory within the bounds of economic efficiency, ecological sustainability and social responsibility; secondly, increasing integration of policy, regulatory and planning aspects of environmental management previously treated as separate issues; and, thirdly, increased focus on and improved mechanisms for community participation in land use planning and management through integrated planning legislation and the Territory Plan.

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The growth of community landcare has been nurtured by a mix of steadily increasing political, legislative, professional and community grassroots support. As it has been evolving into a social movement, community landcare has also represented a significant cultural change for resource management agencies. It is now an inseparable part of the work of the ACT Parks and Conservation Service and the ACT Office of the Environment within the Department of the Environment, Land and Planning, as well as the City Parks section of the Department of Urban Services under my colleague Mr De Domenico.

There is a very high level of staff commitment to maintaining support to community landcare, and to continually improving performance, marked by a high degree of openness to change. A preliminary study of community participation in environmental management carried out by the ACT Parks and Conservation Service has recognised the many positive aspects of community landcare itself, and the efforts of a range of private and government agencies in providing support for community landcare. The study did, however, present opportunities for change, and a number of new initiatives are being examined to improve processes for support of community landcare in the ACT.

I am pleased, Mr Speaker, to announce today the first such initiative arising from this review. This is a program of joint skills training in which community leaders and agency support staff will train together to develop skills for participation and for planning and management of volunteer programs. The first two sessions of this training, funded by the ACT Parks and Conservation Service, will be carried out with the Volunteer Centre of the ACT in May this year - this month. A total of 40 participants will receive training in all aspects of volunteer management, with a view to ensuring that community participation continues to offer satisfying experiences and sustainable benefits for both volunteers and environmental management services alike. I hope that this and related initiatives to be announced in the future will set a trend for expanding community participation and foster a partnership between the Government and the community in environmental management.

Mr Speaker, these initiatives will make an excellent start to implementing commitments made prior to the election by this Government. These are commitments which will assist many people to make a very positive contribution to environmental sustainability while also improving their personal skills and the strength of their community. I commend this program to the house and I hope that members will, if they wish, take more interest in the matter by getting a briefing, which I am very pleased to offer them, on the outcome of that review and on the programs being considered under that review process. I table the statement and I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

GOVERNMENT SCHOOLING
Ministerial Statement

MR STEFANIAK (Minister for Education and Training): I seek leave of the Assembly to make a ministerial statement on government schooling.

Leave granted.

MR STEFANIAK: Mr Speaker, I wish to speak about the initiatives for government schooling that this Government will be pursuing in its first term of office. The ACT has, arguably, Australia's best schooling system. We intend to keep it that way. Education is an investment in the future - the future of our children and of Canberra.

Mr Wood: I accept the congratulations.

MR STEFANIAK: I am glad, Mr Wood. We are committed to improving our system so that it remains the best and continues to provide the best outcomes for students - outcomes which meet their needs both now and in the future.

Mr Speaker, I wish now to draw the Assembly's attention to some of the important initiatives that this Government will be pursuing over the next three years. We intend to work with parents and the community in partnership. We are committed to ensuring that school communities are as involved in decision-making as is practical and reasonable. We hold to the view that decisions about the sort of education provided at specific schools, and how available resources should be used, are decisions best made by that school's community. To that end, we intend to encourage greater community involvement in schools by promoting school-based management in our government schools and colleges. We propose to move gradually over the next three years to identify and implement a system which puts the best possible decision-making and control in the hands of individual schools. At the same time, we will identify those functions which must remain centrally managed in any school system.

As a first step, my department will be researching and developing models of self-managing schools. It will do this in close and extensive consultation with all the stakeholders, including parents, teachers and students.

Mr Connolly: Minister, the Opposition is much more attentive than your colleagues at the moment.

MR STEFANIAK: Is that what you are laughing at?

MR SPEAKER: Order!

(Quorum formed)

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MR STEFANIAK: A small unit is being established within the department to undertake this development work. This unit will be headed by a school principal. This unit will also identify and address all issues which impact on new arrangements, such as training for school staff and management information systems. I expect the unit's planning work to be largely complete by the end of this year. I want to emphasise that we have no preconceived notions about what a self-managed school arrangement should be.

The ACT already has a fairly developed system, with principals and school boards having a wide range of decision-making powers about such things as curriculum development, assessment and a range of resource allocation issues. What is important is that the arrangements developed for the ACT support the strong tradition of community involvement, that they provide increased flexibility for school communities to improve outcomes for students, and that they enhance effectiveness, efficiency and accountability. In short, we want self-managing schools which reflect the particular needs of the ACT school environment.

Mr Berry: What about per capita funding?

MR STEFANIAK: I think the record has broken. Directions to enhance self-management are a sign of our confidence in the professionalism of our teachers and the essential role of parents and communities in our schools. It is timely now, at the halfway point of this decade, to spend a bit of time thinking about the longer term. We need to be satisfied that new arrangements for self-managing schools will suit our needs, not just for the present but for the future.

Another major objective will be to enhance English literacy and numeracy, with particular emphasis on the early years of schooling. Problems experienced by children must be tackled in the early years and not left to progressively worsen. The Government intends to introduce an ongoing system of monitoring and reporting on students' achievements in literacy and numeracy. The nationally developed English and mathematics profiles are currently being examined as a basis for achieving this. Teachers have always been involved in assessing students' progress. The Government would wish this to continue. We will be examining ways of providing a consistent approach that continues our use of teacher-based assessment.

The ACT Government is represented on a working group established by the Council of Australian Governments. This working group is examining ways to validate teacher judgment through an external moderation process. We will be working with other States and Territories to develop more consistent approaches to reporting students' outcomes, particularly literacy and numeracy. This is an important development for the ACT. The task of improving schools will be made easier if students, teachers and parents have a clearer picture of how students are performing. To achieve this we have to explain what students have learnt and achieved, and what they need to learn and achieve. A more systematic and consistent approach to monitoring student progress will also bring the ACT into line with developments occurring throughout Australia. This will enable us to build upon the solid work that has occurred both nationally and in the ACT over the last four years.

Consistent with our commitment to involving the community, we will be working closely with relevant stakeholders, in particular teachers and parents. I have asked my department to ensure that there is full consultation. I will also be holding discussions with appropriate representative organisations. The consultations will focus on two important issues: The impact of new arrangements on schools and teachers, and ensuring that new arrangements are helpful to parents in providing information on student progress. I expect that this system will be fully operational in the primary sector for English literacy and numeracy by the end of the 1997 school year.

My department is re-examining how it monitors school progress from preschool through to Year 12 to ensure that a sharper focus is paid to this important area. Mr Berry and Ms McRae obviously were never taught to be quiet in school; they are just jabbering away during my speech.

Mr Berry: No. We want you to get to some of your promises.

MR SPEAKER: Order!

MR STEFANIAK: Mr Speaker, the third area that I want to refer to relates to the role of physical education and sport in our schools.

Mr Berry: We have a contract on free school buses; there was a press release.

MR STEFANIAK: That is side two of the tape, is it? The Government has already indicated, Mr Speaker, that it will give increased priority to physical and sport education in schools. This is an area that was sadly neglected by the previous Government. There is increasing recognition of the importance of living an active and healthy life and making informed and responsible decisions. Participation in quality health and physical education programs gives students the knowledge and practical skills to meet these needs. The link between physical activity and intellectual and social development is well established. People who are fit and feel good about themselves perform better and achieve greater success in life.

I have established a four-person physical education and sports unit within the ACT Department of Education and Training as part of this commitment. The unit will enable those people responsible for the delivery of programs and provision of support in the areas of PE, sport and health to work more cohesively in pursuit of achieving our objectives in this area. Currently, all high schools and colleges have access to trained physical education teachers to deliver their programs. Throughout 1995 the Government will increase the physical education and sporting programs and activities in primary schools. Funds are being provided for training to enhance the skills of primary teachers to develop and implement quality health and physical education programs. Primary schools will be required to identify teachers to take responsibility for the coordination and delivery of physical education programs. During our term we will also seek to increase sport- and PE-related activities in high schools. I am particularly keen to see greater participation at the high school level in both inter- and intra-school sport.

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Mr Speaker, we are mindful of rapid advancements in information technology and the need for students and teachers to be competent users. The Government is putting considerable effort into improving access to information technology for students. Information technology is now a major part of everyday life in the community, the home and the business world. Activities like banking, using libraries, paying bills, home entertainment, and using a video recorder or computer require skills and technology in a way that was not required when some of us were at school. Using technology is one of the basic competencies required for successful participation in work and in society now and in the future. I am pleased to announce that this Government is currently negotiating to introduce a scheme that will allow schools to obtain ex-government computers at greatly reduced costs. These machines will be no more than two to three years old. I hope that we can have these arrangements in place within a month or so. This program will have considerable impact on improving access to computers by students.

I recently launched a program to provide low-cost access to the Internet, the information highway, for all schools. The Internet enables students to access a wide range of up-to-date information and to communicate with experts across the world. It is an exciting way of obtaining information. I even did a little bit of Internet surfing, as it is called, myself. The package that I launched included arrangements for access, training for teachers, and a policy to ensure that access to the Internet is strictly supervised. The Government believes that it is important to assist teachers to develop their skills in using information technology. Small grants are being given to IT district networks to facilitate professional development for teachers at the school level. A detailed system plan coordinating the use of information technology in schools is being developed. This plan will provide benchmarks for schools to develop their unique approaches to the use of information technology. I know that a number of schools are involved in exciting projects in information technology. We will encourage schools to be innovative in the use of information technology and to share their knowledge and experience with other schools.

Mr Speaker, the Government will support and strengthen the very good work being done in our schools. As the Chief Minister stated in this place last week, the Government has a commitment to maintain funding for government schooling in real terms over the next three years. In view of the very difficult financial outlook that the Government has inherited, this commitment reflects the importance that this Government attaches to government schooling. Let us all work together to provide the best possible education for all our students in our schools.

In summary, Mr Speaker, the strategies and directions of this Government in relation to self-managing schools, monitoring individual student progress, particularly literacy and numeracy, physical education and sport, and information technology will position our schools to maintain their leading edge into the next millennium. These initiatives provide firm direction on the Government's intentions for public schooling and the cooperation between schools and the community. Mr Speaker, I table the statement. I move:

That the Assembly takes note of the paper.

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

PUBLIC TRANSPORT SYSTEM
Discussion of Matter of Public Importance

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

The social, environmental and economic necessity for a high quality public transport system in the ACT.

MS TUCKER (3.46): The current heavy use of motor vehicles has enormous environmental health and social impacts. In Canberra motor vehicles are the largest contributor to emissions of the principal greenhouse gas, carbon dioxide, and the major source of air pollution and noise pollution. There are significant social, health and environmental impacts; but, rather than seeking to limit their use and encourage a healthier city, we still tend to focus on the facilitation of the private motor car as a priority. Mr Speaker, we are told what the costs of public transport are and that we cannot afford to subsidise it, but we are not told what the full costs of private transport are.

What are some of these costs? Arterial roads wipe out natural bushland and grassland, dissecting and destroying the habitats of native birds and animals. Vehicle exhaust also contributes to the pollution of our stormwater and hence our waterways. Roads and parking areas occupy a large fraction of the city's useful land area, making it unavailable for more productive purposes, such as housing, service and recreation spaces close to town centres. What about the health costs? The many gases, including a number of widely recognised carcinogens, that come out of car exhausts are as dangerous as tobacco smoke. They include carbon monoxide, hydrocarbons, oxides of nitrogen, lead, aldehydes and sulphur oxides. Children, the sick and the elderly are the most susceptible to the effects of exhaust emissions. Then there are road accidents, with an estimated cost to the Australian community of over \$7 billion per year. There are other social costs of planning our cities around private motor vehicle use.

The urban sprawl, with its network of arterial roads and planning, isolates people in outer suburbs where public transport is inadequate. This especially affects those who are looking after children, young and older people, low-income earners and people with disabilities. The dispersed nature of Canberra means that many residents have long distances to get to work and to access essential services. This is often used as an argument for getting more and better roads. Currently, we emulate Los Angeles on a smaller scale. By building more and more wider arterial roads, we simply bring more traffic and congestion onto those roads. Even Los Angeles is now belatedly rebuilding a rail system. Spending hundreds of millions of dollars building more roads is not an answer. The more roads we build, the more cars we attract, the more roads we need. It is also important to realise that these demands are mostly driven by commuter traffic during peak hours.

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Mr Speaker, we are told that time is money. When asked about the cost of a car, most people would immediately think about financial costs associated with its maintenance, insurance, et cetera. However, I recently read that the typical American male devotes more than 1,600 hours a year to his car. This time not only includes the time actually driving but also includes the time used to earn money to cover the expenses associated with it, parking it, finding it again, and maintaining it. As for the space used by cars, an interesting fact I picked up recently is that, between parking space at home, at work and at the shopping centre, and road use, each car needs approximately three times the space of a small home.

I have just touched on some of the social, economic and environmental costs of motor vehicle use. Yet almost all of these costs of motor car use are excluded from the economic cost of owning and running a car. If these external costs were accounted for, Mr Speaker, we would not consider the contribution made by taxpayers and ratepayers to public transport as subsidies but as compensation for the damage caused by excessive motor car use. Because such subsidies contribute to a healthy, socially equitable society, externalities must be considered in planning Canberra's public transport options. The costs to the community of not having an effective public transport system are far greater than the subsidy the ACT Government currently is providing to underwrite ACTION. That is not to say that our public transport system cannot be run more efficiently. However, improvements should not be driven from the perspective of saving money. They should be primarily focused on providing the type of service which will maximise use.

Mr Speaker, the Government is planning to call tenders for ACTION routes. Any plan for ACTION that results in all the profitable services being picked out, and leads to a downward spiral in services and the profitability of ACTION, will not have the support of the Greens. We must not undercut the ability of ACTION to provide services on routes which do not have a high use rate. Providing access for the private sector does not necessarily provide greater efficiency. Experience with private sector involvement in the provision of public transport services in Great Britain indicates that there are serious risks of duplication of services and degradation of the ability of the public service to provide services on less profitable routes.

Mr Speaker, I believe that the problems I have outlined above can be addressed through a range of measures, including a responsive and extensive public transport system, traffic calming measures, more effective car pooling strategies and increased car parking charges. Traffic calming has been done quite successfully in many cities overseas which are smaller than Canberra. It is not just a solution for large cities. There are many other ways we can offer incentives and disincentives to change our transport patterns. It is imperative for the survival of our cities and suburbs that the use of cars be discouraged.

It is quite clear that these necessary changes are very challenging to some in our community. There is obviously a connection, effectively manipulated through advertising by car manufacturers, between a sense of self-esteem and status and the car that is owned. A good example of this was when Princess Margaret once said, "If you are still catching a bus at the age of 35, you know that you have not made it". Another line I have heard is, "Yes, we do need a public transport system for those poor people who need it". Mr Speaker, we all need public transport if we are to have a city which does not develop into a health hazard; if we are to have a city in which everyone can move around easily, which has clean air and livable streets. We all need public transport if we are to be responsible global citizens.

The argument that we produce only a small amount of greenhouse gases relative to the rest of the world, for me, is about as powerful as saying, "If we do not sell our uranium someone else will; so why not, and we need not be worried". The issue is: If we do not act responsibly ourselves, how can we possibly hope to influence other countries whose impact is very significant? We have a responsibility to provide a sophisticated model which has moved forward to one of sustainable urban living.

MR DE DOMENICO (Minister for Urban Services) (3.53): Mr Speaker, the Government is committed to improving public transport in Canberra as part of a broader strategy to make transport more efficient and more accessible to all members of the community. Nobody would deny that a crucial element of any modern city is an effective transport network which serves the business, social and recreational needs of all its citizens. Transport links are the arteries of urban living. What many people fail to recognise is that transport is about moving people, not just vehicles. Too often city planners have tried to build transport networks that cater predominantly for the private car, often at the expense of preserving or developing better public transport. Mr Speaker, this Government recognises that public transport has significant advantages over the private car. Public transport is more fuel efficient, resulting in a lower level of pollutants such as carbon monoxide, nitrous oxide and hydrocarbon; generates at least 68,000 tonnes less of greenhouse gases; avoids the massive congestion problems that mar many overseas cities, and even some Australian cities; and carries people more efficiently and more safely.

There are absolutely fundamental reasons why methods of delivery of transport services provided by both the public and private sectors need to be improved. I have already mentioned the environmental priorities such as lower pollution, lower levels of noise and gas emissions. Equally important is the economic imperative to minimise the use of resources to construct and maintain our urban infrastructure. Public transport can help to avoid the high costs of low-density urban development, improve social factors like maintaining access and equity, and provide transport for people with disabilities. It can allow the development of a greater focus on community development, healthier lifestyles, and recreational needs. It can also enable us to make a positive response to the constant pressure on governments to increase efficiency and reduce public expenditure.

There is also a powerful trend emerging from Federal and State governments that sustainable management of Australian cities to ensure a quality livable urban character is fundamental to the long-term economic prosperity of those cities. This trend is most evident in the current federally-funded building better cities program, which the Federal Treasurer announced last night would be continued, and we welcome that approach. But it is also set to extend into many other areas, particularly in the environment, health, business and transport fields.

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The Government is currently considering further work on future public transport options for Canberra. The scope of this work is likely to include an analysis of what community attitudes and associated transport needs are and identifying the types of transport systems that will serve those needs. This would mean looking at methods of funding the preferred systems, and the broader implications for Canberra's development. It should also ensure that the ACT is well placed to seek Federal funding support under programs, like the better cities program, which aim to meet the objectives of maintaining and improving the prosperity and livability of Australian cities.

There is now a clear recognition that there are complex interrelationships between transport, land use, the environment, and many other elements that are part of the urban fabric. In order to respond to this multifaceted environment, this Government intends to develop its policies in a holistic way. For example, encouraging a high-quality but more compact urban form may be linked to light rail development, environmental benefits, and longer-term operating and capital infrastructure cost savings. In Gungahlin particularly - and this is relevant to a question that was asked this afternoon - there appear to be opportunities to implement a mix of complementary policies and strategies that will produce a vibrant community and will produce savings of hundreds of millions of dollars in capital infrastructure expenditure over the next 20 or 30 years. This approach will mean looking at related measures, such as adjustments to the supply and price of parking or creating a more conducive environment in which private sector transport providers can operate. Through this well-planned approach we have a much better chance of realising the potential benefits of a more compact urban form.

The Government has already indicated that ACTION will be corporatised by 1 July 1996. This initiative will help create an environment in which public transport services can be made more efficient and more responsive. It will also enable the public transport system to be operated on a competitive basis. The Government is also looking at other initiatives, such as encouraging the operation of a broader range of vehicle types that can serve a much wider range of transport demand market segments and better linkages between more traditional public transport. One of these is personal public transport. That means ways of utilising the latest transport and telecommunications technology to provide a wider range of demand-responsive public transport services that improve the total transport network. This would involve new types of affordable, on-demand, multihire maxitaxis and taxi buses; the integration of on-demand and conventional public transport through advanced computer and communication systems; and the development of a network of electronic bus stops producing real-time information on the costs and journey times of different travel options. These are things that are available now, through telecommunication. They are things that happen overseas, so we are not reinventing the wheel. In the ACT we have a perfect opportunity, in terms of the knowledge and the people we have in our community, to effect all these reforms.

Mr Speaker, this type of initiative would enable the private sector to offer transport services that compete with the convenience of private cars by offering higher standards of service and improved revenue returns. The Government understands the need to get a better understanding in the community of how transport services can be employed to

meet our lifestyle objectives and what the trade-offs are in the future between people using public transport and their own vehicles. This will enable the Government to fashion a range of cohesive policies, including transport and related policies, which focus on the community's needs.

The momentum of sustainable economic growth will generate increased employment and business activity, particularly in Civic and the other town centres. However, the level of these increases will be greatly influenced by the quality of the transport infrastructure that is serving the town centres. A higher overall level of activity funnelled into more concentrated centres cannot be supported by continually building roads and freeways for private cars. Public transport in all its forms - whether that be bus, taxi, minibus, maxitaxi or even light rail - has the capacity to attract development and stimulate employment growth. It has the capacity to provide more opportunity for the Government to attract private sector involvement and investment and develop an economically and environmentally sustainable city.

It is with great pleasure that the Government stands to speak on the matter of public importance. There is no doubt that the social, environmental and economic necessity for a high-quality public transport system in the ACT is something that all members of this Assembly should support.

MR WHITECROSS (4.00): I am pleased to be able to speak on this matter of public importance. We in the Labor Party have always regarded public transport as a very significant issue, an issue that is about a number of the objectives the Labor Party holds dear, ranging from social objectives to planning objectives to environmental objectives to issues of economic efficiency. The terms of the matter of public importance Ms Tucker has put together we can readily endorse, and I would like to talk a little on how we see these things.

I particularly want to highlight and support Ms Tucker's comments about externalities and the need to take account not just of the raw economic costs of things but also of costs forgone, impacts avoided, et cetera, by using a high-quality public transport system. A lot of the benefits of a public transport system are not apparent in the numbers we see in our budget papers and our annual reports. They are the hidden savings of less greenhouse gas emissions, less encroachment on our surrounding environment, better social integration, and social justice for people who do not have access to other forms of transport. These are the things we should be thinking about when we talk about public transport.

I welcome the breadth of what Mr De Domenico had to say in his speech today. One of the things that concern me about Mr De Domenico's approach to this issue and some of the rhetoric he has produced, in relation in particular to the ACT's public transport system, ACTION, is the overemphasis on financial considerations at the expense of the other considerations that make up the total fabric of our reason for having a public transport system. In discussing public transport, it is very important that these issues not be considered in isolation from the wider issues that concern us in this place. Public transport is part of the broader planning and social agendas we have.

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We have to look at ways of integrating public transport and transport requirements into new areas, rather than designing areas essentially for the car and looking at public transport as an add-on afterwards. Similarly, we have to look at making provision in our planning for things like park and ride, rather than, once again, setting up our town centres for the car and then belatedly walling off sections of our car parks and reusing them for park and ride and those things. Public transport should be integrated into what we do. It should also be integrated into the design of our towns and our suburbs. We have to have a vision for our suburbs not just of the glorious urban sprawl of the 1950s, where it did not matter how far away you were from anywhere else because all you had to do was jump in your car and drive, but of planning which takes account of the need for community facilities and easily accessible places of work.

An issue I have drawn attention to previously and which I briefly want to highlight again is the importance of planning and incorporating employment close to where people live. One of the big problems that face people who live in Tuggeranong, where I live, is the time and expense involved in commuting to work, and one of the reasons for that is that almost everybody in Tuggeranong who works has to commute to outside Tuggeranong, often to the city, to work. This is a big expense; it is a big producer of emissions, which are both a cause of pollution of our immediate environment and a source of greenhouse gases; and it takes away from the fabric of our community - more time spent commuting is less time spent with our families and our partners. These are things that need to be built into the planning to make it easier for us to work closer to where we live.

Mr Speaker, in looking at the social impact of public transport, it is important to understand how public transport helps to bring people out of the suburbs and into common places, to interact and to derive the benefit of being part of a community instead of being isolated. Especially given the fact that most of our suburbs are planned mainly around private transport, people of limited means who have only one vehicle, which perhaps is being used to go to work, having access to public transport so that they too can participate in the community is a very important social justice issue, and an issue we should all take seriously. The social justice needs of small groups of people wanting to access public transport should not be subsumed by the financial imperatives of cost-benefit analyses of individual bus routes and individual points on the timetable.

Another social issue where public transport was, until recently, performing an important role was the provision of late night buses to get young people home from Civic. That service was clearly set up with social objectives in mind. It was set up on the recommendation of the Community Safety Committee and was designed to bring people out of Civic, to avoid the problem of people being stuck in Civic late at night waiting for taxis, and to get affordable transport home. The people who wrote the Liberal Party's policies understood this and indicated their support for additional late night or early morning services to help provide an affordable and safer way for young people to get home at night. There was no mention there of financial imperatives. The emphasis was on the social benefits, and quite rightly. Mr De Domenico, in cancelling the service, could think only of the financial cost of providing it. Looking at public transport, it is a worrying trend if every service, regardless of its social benefits, is going to be evaluated purely on the basis of whether or not we make a profit from it.

Mr Humphries: We do not make a profit on any services.

MR WHITECROSS: You said it, Mr Humphries; but we do not make a profit on that one, because we cancelled it.

Mr Speaker, environmental issues are also important for public transport. ACTION buses carry about 24 million passengers a year over 21 million kilometres. If those people were all on our road system and commuting in conventional ways, that would be a very significant impact on our road system - an impact, I would suggest, we could not sustain. Similarly, it was estimated that a light rail system, which the Labor Party was supporting as an issue that should be investigated further and kept under control, had the potential to reduce greenhouse gas emissions in the ACT by 12,900 tonnes a year, which is a very significant reduction. These are significant issues that ought to be considered when we are looking at our public transport system.

Finally, Mr Speaker, I want to mention economic benefits. We have talked about the efficient use of infrastructure. The infrastructure is much more efficiently used by public transport than it is by private vehicles. It also provides opportunities for a dynamic and healthy economy in the ACT. Interestingly, public transport provides for greater efficiency in meeting the community's transport needs. By proper coordination and avoidance of duplication, a public transport system delivers a better result for the dollar than attempting to have the private sector providing these services. I commend the terms of the matter of public importance and look forward to working with other members of the Assembly on this matter.

MS HORODNY (4.11): Mr Speaker, as was so clearly argued by my colleague Kerrie Tucker, it is essential that Canberra have an effective public transport system. If people are to use public transport more - and at 5 per cent we have one of the lowest user rates in the country - we must ensure that the community is confident that the system is convenient, affordable, reliable and safe. The Belconnen bus interchange is a clear example of where this is not the case. It is, as Mr Hird has pointed out, both an eyesore and a concrete jungle. It is surrounded by a large area that has no people at night. Few people would feel safe and comfortable waiting for a bus there. While the Civic bus interchange is a better model, safety is a problem there too, particularly late at night. Safety and comfort are an important part of a well-functioning public transport system.

One option that has been flagged for the ACT is light rail, and the Greens look forward to a firm commitment from the Government to look at this option. Light rail provides a good and popular alternative. There has been much talk about Canberra's population being too small for a viable light rail system. However, a number of cities with fewer people, such as Berne in Switzerland, do have light rail. The environmental advantages of light rail compared to buses are clear cut. Local pollution is greater from diesel. Greenhouse gas emissions are about the same as from using buses; but, as more renewable energy sources are used to supply the electricity grid over the next decade, light rail will have the advantage in this case as well.

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Modern light rail vehicles have floors that are close to the track, making them more accessible by less able passengers and people with strollers and prams. Decisions by the Human Rights Commission have already been responsible for the cancellation of orders for standard high-floor buses in New South Wales and Queensland. Specially manufactured low-floor buses are very expensive, as is the modification of existing buses, and this has not been taken into account in existing estimates comparing the cost of light rail and bus services. The overseas experience is that clean, quiet, comfortable light rail vehicles attract more passengers than buses and more small-scale commercial development at stations and other stops. These and other considerations must be taken into account when we plan for the public transport needs of our city.

MR HIRD (4.14): I would like to thank Ms Tucker for bringing this matter forward. It is of some concern within our community. Mr Speaker, I do not believe that there has been a positive enough attempt in the past to understand or address the nexus between land use and transport. This is hardly surprising when currently available travel data for Canberra is some 20 years old. However, one thing is very clear; that is, that too many people are travelling as single occupants of private cars. A fundamental objective must be to decrease private vehicle dependency by offering better alternatives. This would then allow us to break the shopping trolley-car link and reduce the demand for car travel. Unless this is done, there will be considerable difficulties in maintaining Canberra's viability as a prosperous growth-oriented city.

In future, the infrastructure put in place in areas such as Gungahlin must fully support higher-density land use, increases in public transport use and, consequently, lower ongoing infrastructure costs. Longer-term travel patterns and the costs of those patterns must be an imperative in the planning and development of Canberra. The existing travel patterns to the city and town centres by high car use are unacceptable. What can we do in new developments such as Gungahlin? Stage 2 and stage 3 of the public transport options for Canberra study clearly identify that the development of Gungahlin represents an opportunity to increase public transport usage and reduce reliance on the private car. A potential public transport mode split of between 30 and 40 per cent will not be achieved without an employment strategy aimed at substantially increasing the proportion of Gungahlin residents employed in their town centre. It also needs a town centre infrastructure that vigorously supports public transport use and minimises the need for road construction and maintenance. Policies that exploit the telecommunication facilities that are being installed in Gungahlin offer other new opportunities such as home-based work via telecommuting.

Mr Speaker, in particular, the provision of parking facilities needs to be critically reviewed in terms of the impact on public transport and the development and maintenance costs of other non-transport infrastructure requirements. While there is a commitment to develop Gungahlin Town Centre and the surrounding region, the form of that development should send a clear message that Canberra will not and cannot continue to support the high costs of low-density land use. Parking strategies are a major part of delivering efficient public transport. We would all be aware that parking spaces generally in the ACT are a major and obtrusive part of the urban infrastructure, occupying a substantial proportion of land

and absorbing significant resources in the construction, operation, lighting and maintenance of spaces, as well as associated enforcement needs. Other cities such as Melbourne have stringent parking supply limitations and maintain a particular emphasis on ensuring that priority is given to short-stay parking. It is this kind of approach that must be taken in Canberra to encourage more effective use of our public transport system.

All these measures I have discussed should be aimed at increasing public transport usage through a more compact urban environment. Failure to achieve higher public transport usage will increase congestion on the road system and add pressure to increase both capital and maintenance expenditure on roads. Conversely, much higher public transport usage will enable a significant amount of these costs to be avoided or deferred. In the longer term, the Canberra community stands to save millions of dollars, not just on roads but in land development, infrastructure provisions, municipal services and asset maintenance.

As I have said, one of the factors that influence car ownership levels and usage is the availability of public transport. Poor quality and indirect public transport services lead to higher levels of car ownership and usage. Users need to appreciate the comparative advantages of a public transit service that provides direct access to their destination. Good quality services should be provided before people make choices about lifestyle factors such as the mode of travel, not after these choices have already been made. Measures to ensure that our existing public transport network is improved are already in hand and will provide a firm foundation for other incentives. One of the first directions of this Government was to separate out the purchaser-provider role for bus service provision. This was an initial move in the corporatisation of ACTION, in line with incentives currently being pursued in the cities of Adelaide and Perth. The corporatisation of ACTION, which we have previously foreshadowed, is a key element of our public transport reform.

Mr Speaker, ACTION continues to move to greater efficiency. The enterprise bargaining process will mean significant changes in productivity for ACTION's key employee groups. Part-time employment conditions were introduced for bus operators in 1994, along with a range of improvements in work practices that raised productivity and efficiency while reducing costs. An interim agreement covering workshop employees was implemented in 1994, which reduced the cost of vehicle maintenance through reductions in unnecessary overtime and allowances and rationalisation of workshop facilities.

Mr Connolly: Well done, Labor Government.

MR HIRD: Well, you got something right. Negotiations are being finalised for a comprehensive workshop agreement that will provide additional gains in the productivity of workshops. While savings were achieved under a previous three-year agreement, a new agreement covering the three years from 1995-96 is now being finalised, and our Government is proud to say that this will provide further substantial savings.

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Despite this significant progress on the reform agenda and the achievement of budget savings, ACTION has managed to improve and extend its services. New routes have been added to the network to service the Gungahlin and South Tuggeranong growth areas and a number of commuter express services have been introduced for city commuters. Total kilometres travelled by the ACTION fleet have increased by an estimated just over two million, or about 10 per cent, between 1991-92 and today.

Mr Connolly: Well done, Labor Government.

MR HIRD: Thank you very much. We have been here for only a very short space of time and already you have congratulated us. Thank you.

Mr Kaine: The buses are already moving faster.

MR HIRD: Yes. I thank my colleague Mr Kaine. In future there will need to be more emphasis on interconnecting public transport and other services to improve convenience and accessibility to facilities and services such as child-care centres near interchanges and major stops. Ultimately, we want a seamless transport system where people can move efficiently through one or more types of vehicles and get where they want to go more cheaply or more efficiently than by private car. It is therefore essential that the planning not only for Gungahlin but across the Territory should specifically address transport impact and the broader budgetary implications of planning decisions. We should be sending clear signals to the community about the high infrastructure costs associated with new development.

Ms Tucker should note that the Government will set the standards, thereby protecting the users, and service providers will follow a user-provider model. That is not to say that we will lose Canberra's unique character as a quality place in which to live. In fact, we will enhance what we have and build a boutique city for the future comfort and enjoyment of our children and their children.

MR CONNOLLY (4.24): Mr Speaker, I would like briefly to enter this debate to thank Mr Hird for so kindly and conveniently setting out the very significant achievements of my former colleague, Mr Lamont, and me over the period of the Labor Government, when we were each Minister for Urban Services. The record of reform that Mr Hird read out is a truly impressive one and a very significant turnaround. One can only hope that, when you have been tested in action, you can come even close to the process of reform we achieved in that period.

MR BERRY (4.24): As my colleagues Mr Connolly and Mr Whitecross have mentioned, Labor's agenda in relation to public transport has been one of commitment to those community service obligations the community has demanded for a long time in the ACT. Particularly for those people who are unable to afford private transport, Labor has provided an accessible, reasonably costed public transport system, and it improved all through the period of the Labor Government. One of the big tests for the Liberals opposite is how they are going to maintain that service, with their particular ideology on

public transport and public instrumentalities, and how that entrenched ideology will impact on that community obligation that should be inherent in any public transport structure. They face the test. It is in conflict with their long-term ideology on privatisation, corporatising, contracting out and all those sorts of things.

We have also seen a recent demonstration of their lack of commitment to election promises, with the Nightrider service, which has been mentioned by my colleague Mr Whitecross. That goes along with a whole lot of other election promises that have been discarded on the way. It is like following a carload of kiddies throwing out the lolly wrappers - all these promises are coming out the windows of the cars. This is a Government that has shown a lack of commitment to promises that were made just a few months ago, and I fear that public transport will be punished as a result of that. The test for the Liberals is to be more flexible in their ideology in relation to the public sector.

Mr De Domenico: We will give the people choice and flexibility.

MR BERRY: We hear the rhetoric about choice, commonsense and flexibility. Basically, what that means is that it costs more and the poor people get less.

Mr Connolly: Take the tuk-tuk or walk.

MR BERRY: Yes, take the tuk-tuk or walk. Perhaps with the ideology of the Liberals opposite we may see a jeepney or two on the road as well - all sorts of services. Our colleagues from the Greens party made great play of the damage the motor car does, and it is true that the management of the motor vehicle and its use in the general community have done a great deal of damage to the environment. There have been a lot of resources used that will never be replaced, and I suppose that we can blame our forefathers for that because no real attempt was made to address the problem. But there were great social advances as well. With the coming of the T-model Ford, ordinary people were able to break through the barrier of transport, which hitherto had been available only to the rich. The motor car, because of the flexibility it provided to the ordinary person in the work force, became somewhat idolised by the community generally. That was centred in the United States and Europe, but it pretty soon became a matter of course here in Australia. If you added up all the injuries and deaths that have occurred on our roads as a result of motor vehicle accidents, they would exceed those in the many wars that have occurred throughout the world; yet the community is still in love with the motor car. That is because of the flexibility it provides for ordinary working people.

Much of our culture in this and other countries has been based in recent times on the motor car. But how do we deal with that as an environmental problem? It really is up to legislators like us and leaders in the community to manage a new way forward which does not confront the community. Would you go out to the community tomorrow and say, "Righto, cars are out. You can drive them only on the weekend; you have to catch the bus."? Where are the brave legislators who would say that? I do not see any in this room. There would be a revolt because the community is not ready for that. I think the community generally understand the issues we are going to have to face, but nobody wants to face them if it means losing their one or two motor cars.

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It is going to be a very difficult problem for legislators of the future. We are going to have to manage the effect those vehicles have on the environment, and the longer we leave it the harder it is going to be. It boils down to a commitment to public transport and whether you can maintain that commitment, and develop a relentless commitment to it. You push it hard; you push it harder. You continue to emphasise the need for public transport to take over from the motor vehicle as much as possible. We have done that in the past; we have continually promoted a quality product here in the Australian Capital Territory. It is environmentally sensible.

We recognise that change is not going to happen overnight and that the motor car will be a substantial part of the transport system here in the ACT well into the future. The use of the motor car will change as costs change. Indeed, transport by motor vehicle will improve with time. The environmental impact of motor vehicles is improving day by day. Some of us would remember in the not so distant past the old flivvers that continually belched smoke, leaked oil and ate heaps of fuel of the leaded variety. When you look at the new motor vehicles we drive now, they are clean compared to those we had to endure in the past, and they are reliable too.

That brings me to the next point - that, as motor vehicles become more reliable and less polluting, there is less driving force for the community to be swayed towards public transport. The pressure will go on. Standards emerging in the United States of America are driving vehicles to nil emissions in some respects, and that will result in an entirely different motor vehicle after the turn of the century. Whether it will be driven by the driving force we now know is another question, but those are things that are developing. We have to keep returning to the need for governments to maintain that enduring commitment to public transport to ensure that the community service obligations are adhered to. That has always been a commitment from the Labor Party in the ACT, and that enduring commitment remains. We will continue to press the Government to ensure that that occurs.

Regrettably, we have had to face a recent event where the Government has backed away from a very important election promise and walked away from a service that provided safety and reasonable transport for a group of people who might otherwise be badly affected by being forced to travel by other means. People are just not able to get home in the middle of the night. Yes, it was costly; community service obligations are sometimes costly, but that is life. You have to maintain that enduring commitment, and I think that was a signal to the people of the ACT that this Government does not have it.

MR HUMPHRIES (Attorney-General) (4.35): Mr Speaker, I think this has been a quite positive debate. We have heard some very structured and positive suggestions about the challenges facing us - notably, from Mr Berry in his comments just concluded. We have agreed around this chamber that we need to work towards a system whereby we support and strengthen the role of public transport in our ACT urban setting. We on this side of the chamber are supporters of the private enterprise system and private ownership of things. We certainly support people's right to own cars; but the last thing we would want to see is people using their cars on the road every day, particularly to commute to and from work. That would be a disaster. The fewer people we can encourage to use their cars on the roads the better off our community as a whole will be. Quite apart from

the question of pollutants and the problems of present car exhausts, there is simply an imperative to reduce the enormous costs that, as other speakers such as the Greens have indicated, arise from the use of the private car in our present system. I hope that we can all develop an approach that works towards reducing that very high cost.

The Liberal Party obviously sees the structure by which certain services are provided as being critically important to the way in which those services occur and the cost they entail to the public purse. We have proposed the corporatisation of the ACTION network not as a way of reducing the number of buses available on the roads or cutting back on the number of bus drivers or in some way producing devastation in the area of public transport, but as a way of meeting our legitimate and entirely necessary need as a community to provide public transport at the lowest possible cost. That commitment is not peculiar to any particular Liberal government; it is a commitment that surely any government worth its salt would have to be pursuing. Nobody wants to spend more than they need to, and I think this is a case where we have to work very hard to reduce that colossal subsidy to a public transport system that is presently used by only 5 per cent of the population.

Mr Connolly: It has been massively reduced, as Mr Hird told you.

MR HUMPHRIES: Mr Connolly notes that it has been massively reduced, and he deserves credit for that; but I think he also has to acknowledge that there are a number of structural problems with the way in which ACTION currently operates that necessitate further attention to how we might go further. The Nightrider service was raised in particular. Nightrider is a service set up with the social aim in mind of enabling people to get home in the evenings rather than hanging around Civic, where things like vandalism and assaults might occur.

The service was provided on an experimental basis to see how many people would use it and whether it would produce the kind of service that would alleviate other social problems. That is a very laudable aim, and I think it had the support of this party when it was initiated. However, it has been quite clear since that time that, whatever test you want to apply, the Nightrider experiment could be said to have failed. Obviously, the social objectives were being met to some extent but the costs certainly were not. The service operated to Belconnen, Woden, Weston Creek and Tuggeranong, and if it had continued it would have cost something in the order of \$250,000 a year to provide. However, on average, approximately 240 people used the service each weekend during those summer months when it was operating.

Mr Connolly: But is that a fair average? Was it not very heavily patronised in the peak summer periods?

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MR HUMPHRIES: I did not hear Mr Connolly's interjection; but certainly 240 people per weekend, for a service raising \$50,000 a year, would not have been particularly economic. Why was that so? Why was it not able to recover more of the costs or provide a more efficient service? The answer, in large part, is the work practices that are part of the process of ACTION providing that service. Two operators were required to provide that service. You can argue that there is a case for that: It is happening at night, people need to be protected, and someone needs to be there in case anything happens. That is an argument, certainly. Also, I understand, full-size buses were being used to transport sometimes very small numbers of people home.

The argument we would put is that to corporatise ACTION gives it the capacity to look at those questions of work practices and the way in which it designs its service to meet people's needs, and that can certainly produce significant savings. Mr De Domenico did not announce that the ACT Government was not interested in further offering services of this kind; he announced that the experiment had failed - and it certainly had - and that there would have to be some exploration in the future, and there will be, of ways in which we can offer this kind of service. I am very confident that, as we move towards changing the way in which ACTION services are provided, we can offer this service again on a much cheaper basis.

I understand that the total cost per person using this service was something in the order of \$20 for each occasion of service. You do not need to be a genius to work out that for \$20 you could probably pay a taxi fare. In fact, if you shared a taxi you certainly could provide for a taxi service all the way to Tuggeranong. The cost of using this service was \$4, which means that, if you have \$20, five people can ride on the bus or five people can share a taxi and probably go where they want to go much more quickly and directly to their doors rather than just to the town centre.

It is clear that there were problems with this service, and there are ongoing problems with the structure of ACTION that deserve to be critically examined. This Government is prepared to do that; the previous Government, with great respect, was not prepared to go very far down that track. It achieved some savings within the framework; but it got to the point, I suspect, where it could not have gone a great deal further. We are prepared to examine those matters. We have indicated that we want to work with the unions in doing so, and we will certainly attempt to do that. It is up to the unions as to how far they want to come down the track with us. We think there are issues here that simply cannot be overlooked or ignored, and we are putting them on the table. The bottom line is not, "Yes, we want to gut this service. It is not important; we can do without it. Yes, everyone can use their cars". That is a stupid approach to take and it is certainly not our approach. We must provide public transport; but we believe that we can do it much better than it is currently being done, and that is the object of our exercise.

MR SPEAKER: The discussion is concluded.

**PREMIERS CONFERENCE, AUSTRALIAN LOAN COUNCIL AND
MEETING OF THE COUNCIL OF AUSTRALIAN GOVERNMENTS
Ministerial Statement and Paper**

Debate resumed from 3 May 1995, on motion by **Mrs Carnell**:

That the Assembly takes note of the papers.

MS FOLLETT (Leader of the Opposition) (4.42): I want to make just a few comments on this ministerial statement by Mrs Carnell. First of all, Mr Speaker, I congratulate Mrs Carnell for having attended a Premiers Conference. She joins a very tiny band of women who have done so, and I am quite sure that at the time when our forefathers - and I use that word with total accuracy - devised this scheme they did not envisage any women being in attendance. I think it is a very proud boast, for a Territory the size of ours, that we have provided 50 per cent of the women who have ever attended Premiers Conferences, although we have only 1½ per cent of the population. That is another trivial statistic we can take some pleasure in.

It is a very important forum, Mr Speaker, and it is important for two reasons. The first is the symbolism of the Premiers Conference. The fact that the Territory does attend Premiers Conferences recognises that we are a full partner in the Australian Federation. I think that is an important matter. I realise, of course, that it is not at the forefront of our constituents' minds just at the moment and will not be for quite some time. Nevertheless, it does recognise that what we have in this Territory is full self-government. We are a sovereign Territory, and we take our place alongside the other States and Territory in that forum.

The Premiers Conference also has enormous administrative importance for all States and Territories in that it is in that forum that we can argue for a major part of our revenue from the Commonwealth. For most States and Territories, the general revenue funding from the Commonwealth is something like half of their revenue. There is a very important point to be made about the ACT. There is a very widely held perception outside our Territory that other Australians pay for Canberra. You have only to look at the Grants Commission's report on relativities and the reflection of those relativities in the Premiers Conference outcomes to realise that only two States - New South Wales and Victoria - get a smaller relative proportion of their funding from the Commonwealth than the ACT does. All the other States and the Northern Territory get a much larger proportion of their funding from the Commonwealth.

This Territory does pay its way, and I think the fact that we have made that enormous leap in the short period since self-government is something the rest of Australia ought to be applauding us for. I do not expect that they will. The contrast, in particular, between the financial arrangements for the ACT and those for the Northern Territory is very marked. It seems to me that the Northern Territory has never been required, and has never made the slightest effort, to move towards State-type funding, particularly when you compare it to the effort the ACT has been required to make and has achieved.

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Mr Speaker, I have previously made the point that I considered that Mrs Carnell's effort in achieving special revenue assistance for the Territory could have been better. I repeat that I believe that Mrs Carnell had every right to negotiate for around \$20m, and she would have needed to start with about \$35m to get to the figure of \$20m. The \$15m that was achieved was very scant indeed, and the fact that it was conditional upon the land swap with Acton Peninsula, I believe, was disgraceful. I have expressed previously my disappointment in my Federal colleagues for insisting on that. I would advise Mrs Carnell, if she gets to go to another Premiers Conference, that, rather than negotiating one on one with the Prime Minister, she might do better if she were to caucus with her very large number of Liberal colleagues and try to get some support from them in getting a better outcome for the Territory. That is just a little tip that I pass on gratis.

There are a couple of other points I would like to make. Firstly, it is, as Mrs Carnell said, a very important decision for the States and Territories that the Commonwealth has continued the real per capita guarantee for general revenue funding to the States and Territories. This will not impact immediately on the ACT because we are still moving towards State-type funding and are still having reductions in our funding, but in the next couple of years it will make all the difference in the world. Throughout the earlier period of self-government, one of the enormous difficulties we had in our budgeting was that there was no certainty about how much of that very important Commonwealth revenue we would get from year to year. In fact, the reductions have been up to 20 per cent. That certainty, I believe, does provide something of a safety net for the States and Territories, and I welcome that.

I also welcome the outcome on the compensation of States and Territories for the Hilmer competition reforms. The last COAG meeting I attended was, I believe, the one where the Commonwealth made a quite derisory offer to the States and Territories of \$700m all up. It was my view, and it was certainly the view of the other States and Territories, that that amount in no way recognised the impact of the Hilmer reforms on States and Territories. I am very pleased to see that the offer has been increased to \$2.4 billion, payable over nine years. But there is a sting in the tail. As always, the Commonwealth giveth and the Commonwealth taketh away. I notice that, whereas the Territory's income from that Hilmer compensation is expected to be about \$3.4m, commencing in 1997-98, in their budget last night the Commonwealth took a unilateral decision on another matter - to change the indexation arrangements for specific purpose payments to the States and Territories. The impact of that decision by the Commonwealth will be to cost all of the States and Territories collectively about \$350m, but for the ACT the cost will be about \$3.5m in 1998-99. So, whilst we might get the money under Hilmer in 1997-98, we will lose it under the reviewed indexation arrangements the following year. That, I am afraid, is an all too common experience with largess from the Commonwealth.

I want, finally, to make the point that, despite Mrs Carnell's rhetoric about council-style government, I trust that she will do nothing to jeopardise the Territory's attendance as a full negotiating and voting member at Premiers Conferences. I believe that it is absolutely essential that we have our own representative, our own head of government, at that forum to argue for the Territory. Even when the result is not too terrific, as it was

not this year, I believe that it is supremely important that we do not allow the Commonwealth, or some agent of the Commonwealth, to argue our case for us. I believe that our participation in that forum is a recognition of our full place in the Federation, and I would never want that downgraded. It is only in the last two years, I think, that the ACT has been a full member of the Loan Council. Again, our membership of that body allows our financial performance, our budget performance and our economic performance, to be put on a par with the other States. It is a very proud performance, even if I say so myself. When you compare it with some of the other States and Territories, such as the Northern Territory and Tasmania, we have performed extremely well. The fact that that kind of information is about, the fact that the Territory is a full participant in these kinds of forums, over time - a long time, maybe - might break down that perception of the rest of Australia that we are a luxury they cannot afford. It is a very false perception. The Territory is paying its way, and I only wish that some of the other States and Territories would do as well as we have.

MRS CARNELL (Chief Minister) (4.52), in reply: I take this opportunity to reinforce some of the main points I made in my statement to the Assembly last Wednesday. The ACT was offered, as Ms Follett said, \$15m in special revenue assistance through the Premiers Conference. That was more than any other State or Territory; in fact, the ACT and the Northern Territory were the only two States or Territories to receive any special revenue assistance at all. Nevertheless, the Government faces a decline of \$135 in real terms for every ACT resident.

A further important decision taken by the Commonwealth was their agreement to continue indefinitely, as Ms Follett said, the real per capita guarantee for general revenue funding to the States and Territories. That will mean, over the next nine years, for the ACT, some \$184m; so it is nothing to be sneezed at. The main decision agreed to at the Australian Loan Council related to the acceptance of each jurisdiction's nominated 1995-96 Loan Council allocation. For the ACT that was \$29m, and it remains at a very modest level.

As members will recall from my earlier statement, one of the most exciting things to come out of COAG, and one that, interestingly, Ms Follett did not talk about at all, was the national competition policy. I wonder why.

Ms Follett: Yes, I did.

MRS CARNELL: Not in any depth at all. As a result of the cooperative lobbying of States and Territories, as Ms Follett did say, the Commonwealth will pass on to the States some \$2.4 billion in compensation; but we did not like to call it that because the States and Territories do not quite perceive it in that way. That will mean \$3.4m commencing in 1997-98 and, as Ms Follett said, in 1998-99, due to the new indexation formula the Commonwealth Government decided upon last night, we will end up losing about \$3.5m. So, we get it one year earlier, but we lose it the next year. That figure will increase in the year 2001-02 to \$10.4m, so certainly the ACT will come out better for the deal.

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We are working on implementing the competition policy, and I think it is a really important part of what we did at COAG this year. There are a number of things we are happily committed to doing, such as reviewing legislation and regulations affecting competition, and developing a timetable for reform of all anti-competitive regulation and legislation by the year 2000, in accordance with the Hilmer principles. Further, in line with the principles agreed to under the Hilmer reforms, we will also move to corporatise ACTEW, ACTION and ACTTAB - something Ms Follett did not quite mention.

In relation to other items on the COAG agenda, I advised members of the agreements that had been reached in relation to the reform in health and community services, public housing, and the treaty ratification process. It is good to note that in the area of health and community services more than one meeting has already occurred. We are seeing some movement in the continuity of care area, trying to break down the barriers between critical care and community care. I am pleased with what has happened already in that area.

It was a great experience for me to go to my first Premiers Conference. We do have a long way to go, as Ms Follett said. The other States and Territories do perceive the ACT to be very much newcomers and very minor players, but I am sure that as the years go by that will change.

Question resolved in the affirmative.

ADJOURNMENT

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

That the Assembly do now adjourn.

Landcare Movement

MS HORODNY (4.57): Mr Speaker, I would like to draw the attention of the Assembly to the important work being done by Mary Ormay, who is a constituent in my electorate of Ginninderra. I have known Mary for many years and know few people who have worked as hard and tirelessly for the environment. Mary is one of the prime movers of the landcare movement in Canberra. She is currently the convenor of the North Belconnen Landcare Group and is strongly involved with the protection of the Ginninderra Wetlands.

Landcare groups are playing an increasingly important role in the ACT. While we take pride in still calling Canberra the bush capital, there are many concerns that need to be addressed. The problems affecting Ginninderra Creek, which were highlighted in today's *Canberra Times*, are a clear example of the need for action. Mary featured in that article in today's newspaper. But the problems our natural environment is faced with in the ACT are not always as striking as those at Ginninderra Creek. We have tremendous problems with exotic plants, which most of us do not even recognise as weeds. Landcare groups provide an excellent opportunity for community involvement in addressing these issues. The work done by Mary Ormay and other volunteers in the landcare movement deserves our wholehearted support and appreciation.

On another note, I would like to inform the Assembly that the well-known naturalist, David Bellamy, will be honouring this Assembly today by visiting the Greens' offices. Other members and staff who wish to meet David Bellamy can do so in our offices at 6.30 pm.

Question resolved in the affirmative.

Assembly adjourned at 4.59 pm