



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

23 May 2000

Tuesday, 23 May 2000

Suspension of standing and temporary orders	1549
Occupational Health and Safety Amendment Bill 2000 (No 2)	1549
First Home Owner Grant Bill 2000	1550
Subsidies (Liquor and Diesel) Repeal Bill 2000.....	1551
Justice and Community Safety—standing committee.....	1555
Gambling Legislation (GST) Amendment Bill 2000	1556
Interpretation Amendment Bill 2000.....	1557
Planning and Urban Services—standing committee	1564
Planning and Urban Services—standing committee	1566
Visitors.....	1567
Questions without notice:	
Bruce Stadium—the ultimate rock symphony	1567
Bruce Stadium—rugby grand final	1569
Bruce Stadium—marketing	1570
Hospitals—waiting time for treatment.....	1571
Civic bus interchange—shelters.....	1573
Internet gambling licences.....	1575
Justice and Community Safety—standing committee.....	1575
Appropriation Bill 2000-01.....	1576
Appropriation Bill 1999-2000 (No 3)	1592
Goods and Services Tax (Temporary Transitional Provisions) Bill 2000.....	1594
Financial Management Amendment Bill 2000 (No 2).....	1596
Privilege (Statement by Speaker).....	1596
Presentation of papers.....	1597
Privilege—Speaker’s statement	1598
Purchase agreement.....	1601
Finance and Public Administration—standing committee	1601
Presentation of papers.....	1606
Presentation of papers.....	1607
Justice and Community Safety—standing committee.....	1608
Purchase agreement.....	1609
Planning and Urban Services—standing committee	1609
Land (Planning and Environment) Act—variations (Nos 114 and 144) to the Territory Plan (Ministerial statement)	1610
Purchase agreement.....	1613
Education, Community Services and Recreation—standing committee.....	1613
Purchase agreement.....	1614
Health and Community Care—standing committee	1615
Adjournment:	
Death of Mr David Green : Death of Ms Joan Tompsett	1617
Death of Mr David Green : Death of Ms Joan Tompsett	1618
Death of Mr David Green	1619

Tuesday, 23 May 2000

The Assembly met at 10.30 am.

(Quorum formed.)

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

SUSPENSION OF STANDING AND TEMPORARY ORDERS

MR HUMPHRIES (Treasurer, Attorney-General and Minister for Justice and Community Safety) (10.33): Mr Speaker, I move:

That so much of the standing and temporary orders be suspended as would prevent:

- (1) any business before the Assembly at 3.00 p.m. this day being interrupted to allow the Treasurer to be called on forthwith to present the Appropriation Bill 2000-2001;
- (2) (a) questions without notice concluding at the time of interruption; or
(b) debate on any motion before the Assembly at the time of interruption being adjourned until the question—"That debate on the Appropriation Bill 2000-2001 be adjourned and the resumption of the debate be made an order of the day for the next sitting" is agreed;
- (3) at 3.00 p.m. on Thursday, 25 May 2000, the order of the day for resumption of debate on the question that the Appropriation Bill 2000-2001 be agreed to in principle, being called on notwithstanding any business before the Assembly and that the time limit on the speech of the Leader of the Opposition, Independent Members, the ACT Greens and United Canberra Party be equivalent to the time taken by the Treasurer in moving the motion—That the Bill be agreed to in principle; and
- (4) (a) questions without notice concluding at the time of interruption; or
(b) debate on any motion before the Assembly at that time being adjourned until a later hour that day.

Mr Speaker, this is the usual motion moved in respect of presentation of the budget in budget week.

Question resolved in the affirmative, with the concurrence of an absolute majority.

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT BILL 2000 (NO 2)

Debate resumed from 9 May 2000, on motion by **Mr Smyth**:

That this bill be agreed to in principle.

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

23 May 2000

FIRST HOME OWNER GRANT BILL 2000

Debate resumed from 9 May 2000, on motion by **Mr Humphries**:

That this bill be agreed to in principle.

MR HARGREAVES (10.36): We have a considerable amount of difficulty with this bill. A lot of it stems from conclusions and questions by the scrutiny of bills committee in its report on the matter. I would ask the house to adjourn discussion on this bill because the issues raised by the scrutiny of bills committee go to significant people's rights. The bill talks about the burden of proof. It talks about the reverse onus of proof. I have forgotten the exact terminology, but it talks about the implied condition of guilt.

Given that scrutiny report No 7 has not been delivered to this chamber, I do not intend to breach privilege, but I have to say that the report the committee wished to place before the Assembly this morning talks about the government's response to queries the committee raised. We cannot debate this bill today. We need the Assembly to be given the benefit of the committee's report.

Mr Speaker, I would ask for your intervention, please. This is a particularly important issue to do with human rights, and conversations are going on around the chamber.

MR SPEAKER: I uphold your point of order, Mr Hargreaves Gentlemen, please! Ms Tucker, if you wish to speak, would you mind going out and using the lobbies. May I also suggest that Mr Rugendyke and Mr Minister also do the same.

Mr Kaine: It was not Ms Tucker.

MR SPEAKER: I apologise, Ms Tucker. I did not realise that you were not involved.

MR HARGREAVES: Mr Speaker, I will go though this again.

MR SPEAKER: Yes, if you would, please.

MR HARGREAVES: We are being requested to debate a bill when the standing committee that has been charged with looking into the terms of the bill has not presented its report to this chamber. It is important that they present their report. We are not necessarily talking about the policy content of the bill. We are talking about what we believe to be, hopefully, unintended consequences within it which impinge on human rights. Whilst I am not putting a case for or against those, I am suggesting that all members of this chamber would benefit by seeing that report, which was supposed to come down today. Due to circumstances beyond the control of committee members, it was not possible to table it this morning. I suggest that the debate on this bill be adjourned.

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

SUBSIDIES (LIQUOR AND DIESEL) REPEAL BILL 2000

Debate resumed from 11 May 2000, on motion by **Mr Humphries**:

That this bill be agreed to in principle.

MR QUINLAN (10.40): We have had a look at this bill, and I have had a full and comprehensive briefing on it through the Finance and Public Administration Committee. It is a bill that repeals an act. It repeals a diesel subsidy. We have been briefed and assured that there will be a one-off payment to those few people who receive a rebate for diesel used for residential heating. We can see no major problem with the repeal of that subsidy, given the manner in which the government intends to repeal it.

On the other hand, we do not have quite the same attitude to the repeal of the subsidy on low-alcohol drinks, in particular beer, although it also embraces some of the more exotic mixes that are available to young people today. The problem with wishing to amend this bill is that it has to be divided completely down the middle. The bill is structured to cater for two subsidies. Quite a considerable amount of work needs to be done. We have a preference for the debate on the bill to be adjourned until at least Thursday so that we can cobble together some amendments. We would be seeking some assistance from the government in that regard. We are certainly happy to support the repeal of the diesel subsidy and the process that government wishes to undertake.

We think it is a whole different question of principle in relation to low-alcohol products. I am not convinced that price is much of a factor in the marketing of low-alcohol products, but I have seen no evidence one way or the other. There are no statistics, there is no market research and there is no empirical evidence to define whether or not price is a factor. It is not just that price is a factor in marketing and encouraging people to choose between low-alcohol beer or low-alcohol drink mixes and full-strength beer or drink mixes or high-alcohol drink mixes; it is also a case of the signals that this Assembly wants to send to the community about whether or not people should seriously consider using the low-alcohol product, as opposed to full-strength, and therefore possibly remaining sober to be in control of their actions, particularly to be in control of motor vehicles towards the end of whatever particular event they might have been participating in.

We support repeal of the diesel subsidy. We cannot support repeal of the liquor subsidy. I understand that the government at one stage was trying to tie together the repeal of this subsidy and some extra funding for police. We will have to look at the budget later today to work out exactly what we are doing with police, given that the number seems to be getting bigger with all the budget leaks that have come out. We have already seen in the draft budget a spurious claim in relation to additional funding for police. Whether today's claim is no less spurious or not we will find out a bit later as we pore over the budget. As I said, we support half of this bill, and I expect Mr Berry to rise and call for an adjournment of this debate.

MS TUCKER (10.46): I would like to take the opportunity to speak now because I want to support the concerns Labor have raised about this bill tying the repeal of subsidy to two quite different products. The government states that this bill is part of the implementation of the national tax reform package. I can accept this for that part of the

23 May 2000

original act that deals with the subsidies for diesel use. The federal government is introducing various concessions for the use of diesel, so that part of the act has become redundant.

The Greens have already stated their strong opposition to that part of the tax reform package, because diesel is a dirty fuel, and encouragement of its use will lead to increased pollution and greenhouse gas emissions. However, I acknowledge the needs of those 137 pensioners who rely on diesel for home heating. It is unfortunate that the government did not look more at ways to help those people install environmentally friendly heating rather than just paying them off with a \$300 act of grace payment and assuming they will be better off in the future under the new tax system.

The other part of the bill dealing with the subsidy on low-alcohol liquor, however, does not appear to be directly related to the new tax system. I understand also that this subsidy scheme was specifically set up in the ACT to make low-alcohol products more financially attractive than their full-alcohol counterparts. The government appears to be abandoning this scheme just because it has become too expensive and it wants to use the money on other things—I heard maybe on policing, which also seems a rather poor and inconsistent approach to policy. I would be interested to hear Mr Moore, as minister for health, address this issue.

We would want to see this decision based on an assessment of the effectiveness of this scheme in promoting the consumption of low-alcohol liquor. With the introduction of the GST, all alcohol products will now be taxed at the same rate, which illustrates a concern the Greens have had with the GST, in that it is a single, broad-based tax that takes no account of the social and environmental benefits or costs of the product being taxed. The Greens believe that taxation should be used not only as a revenue-raising measure but as a policy instrument to encourage or discourage particular consumption patterns. The federal government is already doing this in the new tax package with its favouritism towards diesel fuel and its acceptance that various services which have a public benefit should not be taxed. It is a pity that the government has not adopted this differential approach more broadly in a way that minimises environmental and social harm.

This government should have provided an assessment of the impact of product price on the consumption of low-alcohol liquor as part of the presentation of this bill so that the Assembly could have been able to judge for itself whether this subsidy scheme should be abandoned. In principle, I would support low-alcohol liquor being cheaper than full-strength liquor, but I would be very interested to see an analysis which supports what this government is apparently attempting to do here.

I will certainly support Labor's move to adjourn this debate, because this is not a clear case at all. The government has not shown us good reason for this change in public policy, and we need more time to look at how we can amend this bill so that we can disentangle these two separate issues.

MR HUMPHRIES (Treasurer, Attorney-General and Minister for Justice and Community Safety): I want to make a few comments before we adjourn this debate today. Therefore, I seek leave to speak without closing the debate.

Leave granted.

MR HUMPHRIES: If Ms Tucker believes that the government has not made out a particular case, it might have helped if she had come to the government to discuss the case the government was making for the removal of these subsidies. Ms Tucker says that there are problems with this legislation, that she does not understand what the government is trying to do and that the government has not made its case clearly enough. With great respect, the government has put the legislation on the table. It presented an explanatory memorandum with the bill. It presented the speech that goes with the presentation of the bill. It presented the bill itself. If Ms Tucker has uncertainty about what the government is trying to do in the area where there is a very significant amount of change in the structure of taxation going on in the ACT, with great respect, she should have come and spoken to someone in the government and asked for some information about that matter.

Ms Tucker: You should have provided the information.

MR HUMPHRIES: We did. The second point I address to Mr Quinlan. I ask him to lend me his ears for one moment. There is a very important problem with removing the subsidy on low-alcohol wines, beers and spirits. The course of action the ACT government is taking in this bill is more or less the same approach as is being taken by the New South Wales government in equivalent legislation. I do not think I have to remind members what will happen if the ACT retains a subsidy scheme for low-alcohol beer and other products in the ACT and New South Wales does not. We know what is going to happen, don't we? There is going to be a trade in low-alcohol beer across the border, and the ACT will be subsidising consumers of those products in New South Wales.

I would predict that if there was a subsidy continuing in the ACT we would see a very large increase in the amount of low-alcohol products sold in the ACT, not necessarily to ACT consumers but to New South Wales consumers.

Ms Tucker: We might save lives in New South Wales.

MR HUMPHRIES: Ms Tucker is happy for us to be selling low-alcohol products throughout New South Wales with the ACT taxpayer subsidising drinkers in New South Wales. Ms Tucker, are you serious? It will not be just people living in Queanbeyan, Yass and places close to the ACT. Those subsidies can be quite substantial. The result of providing them in the ACT could well be that people set up firms in the ACT purporting to be engaged in retail in the ACT and in fact take the subsidies in the ACT and on-sell them to retailers across the whole of New South Wales. That is quite conceivable. If the subsidy is large enough, it will compensate for the freight costs that people would have to incur to get the alcohol delivered to the ACT and then sent back into New South Wales.

Ms Tucker is shaking her head. That is the advice I have had from the department, Ms Tucker. I suggest you go and avail yourself of the briefing which you have available to you, if you bother to take it up, and find out what the consequences are of having available in the ACT a subsidy which is not available in New South Wales. If Ms Tucker does not understand that, I suggest she find out some information about it before she takes those views up on the floor of the Assembly.

23 May 2000

I am happy for this bill to be dealt with later. I do hope there is some government business on the program that the Assembly is going to deign to deal with today.

MR STANHOPE (Leader of the Opposition) (10,53): I wish to speak briefly to reinforce the points made by my colleague Mr Quinlan and by Ms Tucker. There are some very significant aspects to the proposal to remove the differential between low-alcohol beer and standard beer. It would be interesting to hear the views of the minister for health on this subject and on the message that the removal of this subsidy will send from this parliament to the people of the ACT. I do not think it can be gainsaid that the administration of alcohol taxation can be seen, in part, as a very significant health promotion strategy. Part of that strategy is to regulate prices to reduce the availability of alcohol in the community.

I have no doubt—it is almost certain—that any study of the impact of pricing on alcohol consumption and studies in relation to price elasticity would indicate that unless the variation in price is significant the impact on consumption patterns is minimal. There is no doubt that the tax on low-alcohol beer is quite significant. It does encourage drinking in moderation, and to the extent that it encourages the consumption of low-alcohol beer it discourages binge drinking.

The minister for health in particular would be aware that alcohol is second only to tobacco as a preventable cause of death and hospitalisation in Australia. It is worth commenting on the extent to which alcohol and alcoholism impact so gravely on the health of so many Australians and are such an enormous cost and burden to the community. It is incongruous to me that the ACT, through a consistent position and policies by successive governments over the last dozen years or so, have developed perhaps the most stringent legislation in relation to smoking and the consumption and advertising of tobacco. I hear the minister, Mr Moore, talking about this constantly in this place. We all know the extent to which the minister has pursued the issue, just as previous governments and previous ministers for health have pursued the need to prevent consumption of tobacco and tobacco products.

In much of what Mr Moore says in his campaign in relation to the smoking of tobacco, he talks about the symbolic importance of much of what we do. Much of what we do in relation to our campaigns to prevent smoking is symbolic, and it does have a significant symbolic impact and effect. The minister would be able to confirm for us that, in 1996, 3,656 Australians died from alcohol-related causes, that there were 96,000-plus hospital attendances attributed to alcohol-related conditions, and that those alcohol-related conditions accounted for 714,000 hospital bed days.

Many of the harms caused by alcohol result from people becoming intoxicated, so the consumption of low-alcohol beverages should be encouraged, not discouraged by this sort of measure. It does not need to be said that intoxication contributes to the incidence of road crashes, drownings, accidents, violence and absenteeism from work. Binge drinking is a major problem, particularly amongst young people. It is incongruous that we are proposing to remove this subsidy and move to pricing parity between low-alcohol and standard beers when the Commonwealth is engaged in a new advertising campaign designed to address the problems of binge drinking among younger people. That is a particular concern.

Having regard to our record in relation to smoking and tobacco products and our attitude to smoking and tobacco products in this territory and the fact that we continue to pursue most vigorously our anti-smoking campaigns, participating in or endorsing the removal of the price differential between low-alcohol and regular beer sends a most complex message to the community and to young people.

MR HUMPHRIES (Treasurer, Attorney-General and Minister for Justice and Community Safety): Mr Speaker, under standing order 47, I would like to explain something which has been misunderstood in the debate.

MR SPEAKER: Proceed.

MR HUMPHRIES: Some of the debate today has proceeded on the assumption that there will be no differential between low-alcohol and full-strength beers in the ACT as a result of the removal of the ACT subsidy. That is not the case. Members should be aware that, as I explained in the presentation of this bill, the Commonwealth is introducing a tiered arrangement for federal government taxes and excises on alcohol, and there will still be a differential between the price of low-alcohol and full-strength beers in the ACT, even with the removal of the ACT subsidy. It will be less than it is now. On a carton of beer, the differential is about \$7. It will fall to about \$3 or \$4, with the passage of this legislation. Members should not assume that when this bill is passed there will be no differential between full-strength and low-alcohol beers. That is not the case.

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

JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE Scrutiny Report No 7 of 2000 and Statement

MR HARGREAVES: I seek leave of the Assembly to present, on behalf of the chairman of the Standing Committee on Justice and Community Safety, *Scrutiny Report No 7 of 2000*.

Leave granted.

MR HARGREAVES: I present *Scrutiny Report No 7 of 2000* of the Standing Committee on Justice and Community Safety performing the duties of a scrutiny of bills and subordinate legislation committee, and I ask for leave to make a brief statement on the report.

Leave granted.

MR HARGREAVES: *Scrutiny Report No 7 of 2000* contains the committee's comments on 12 bills, 18 subordinate laws and 13 government responses. The report does not refer to concerns the committee has with the first home owner scheme. I would like to advise the chamber that, with a bit of luck, the committee will meet at lunchtime to consider its supplementary report and, with the indulgence of the Assembly, we hope to present that report to the Assembly as soon as possible after the luncheon break.

23 May 2000

GAMBLING LEGISLATION (GST) AMENDMENT BILL 2000

Debate resumed from 11 May 2000, on motion by **Mr Humphries**:

That this bill be agreed to in principle.

MR QUINLAN (11.02): The opposition would like to debate this bill today. On behalf of the opposition, I would like to make it clear that in no way should this be construed as support for the GST in any shape or form. However, there are practical realities which require arrangements to be made, given that the GST is with us. This bill takes care of the implementation of the GST, with one minor wrinkle. That wrinkle has been worked out to ensure that the very small clubs in the ACT do not go under because of the GST.

I have to congratulate the government, its administrators and the club industry on working out the deal. The club industry did not have a lot of room to move at the end of the day, but we now have an arrangement whereby the GST impact on gambling revenue will not go as far as wiping out a number of small clubs that support a particular ethnic group and provide to their members a little touch of home so they can enjoy their dual citizenship, which we also support. The opposition is quite happy with the passage of this bill.

MR HUMPHRIES (Treasurer, Attorney-General and Minister for Justice and Community Safety) (11.04), in reply: Mr Speaker, I thank the opposition for its support for this bill. It is important that we put in place some measures to mitigate consequences of the GST which certain organisations within the community would be unprepared for. This is one example of an unforeseen consequence of having states evacuate their tax regime on forms of gambling to the degree that it allows the GST to replace it and not impose a higher burden on any particular organisation than it currently experiences.

I acknowledge the point made by Mr Quinlan that passing this bill is not an endorsement of the GST, but it is certainly an attempt to prevent consequences of the GST being overly onerous on particular organisations within our community. I am very pleased with the responsible approach taken by ACT clubs to suggest this mechanism whereby small clubs should be relieved of some of the pressure which would otherwise come down on them with the imposition of a GST at the expense not of the taxpayer but of larger clubs. It is a very positive gesture on the part of those larger clubs, and I publicly thank them for that measure of cooperation with, and support for, smaller players within their industry.

It is important that the ACT have a reasonably flexible regime with respect to gambling taxation, because many forms of gambling are quite sensitive to the level of taxation imposed upon them. The government has retained a flexible model in being able to deal with this situation, notwithstanding the fact that a uniform 10 per cent GST is being imposed on the retained profit from gambling operators in the territory and indeed elsewhere in Australia. This arrangement will be subject to review in two years time to ascertain whether it is appropriately operating to protect the industry and to ensure that there is not any loss of revenue to the ACT.

This bill also provides for an efficient approach to adjust gaming machine tax for hotels and taverns in accounting for the GST and also allows a less disruptive approach with respect to bookmakers in dealing with taxation issues confronting them.

As I said, I thank the opposition for its support.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

INTERPRETATION AMENDMENT BILL 2000

Debate resumed from 9 May 2000, on motion by **Mr Humphries**:

That this bill be agreed to in principle.

MS TUCKER (11.07): This bill gives the government the power to include a tax as part of a fee or charge. The government says that it will allow GST to be incorporated into ACT government fees and charges. It will also ensure that the imposition of a fee or charge will not be open to legal challenge on the basis that it imposes a tax, or rather an amount that exceeds a fair recompense for the service rendered, in cases where the legislative power to make a subordinate law does not clearly authorise the imposition of a tax.

The Greens do not have a problem with fees and charges including an element of taxation. We believe that the setting of fees and charges is not just about recovering costs, but can also be used as an economic instrument to achieve particular policy objectives. For example, the Greens believe that fees and charges to allow particular activities should reflect the environmental damage done by such activities, with the result that some charges will be higher than others, depending on the activity, and not necessarily reflective of the administrative costs involved or the value of the service provided. In those cases, the higher charges are used to provide a disincentive for people to undertake those activities which are regarded as environmentally damaging.

I note that the scrutiny of bills committee raised some concerns with this bill. The committee pointed out that there is a longstanding principle that the raising of public revenue should be under the control of the parliament. Subordinate laws should only be imposing fees and charges that are a recompense for the service rendered. However, it is open to the Assembly to give the government the power to impose taxes through subordinate law by passing legislation which includes this power.

It is also the case that most of the regulations and determinations that set fees and charges are already disallowable. The Assembly therefore has the opportunity to review the level of the fee or charge, although after the determination has been made, and has

23 May 2000

had this power for many years. I also understand that various fees and charges set by regulation in the past have included a taxation component, so what this bill is doing is legitimising a common practice.

The committee acknowledged that, where determinations are disallowable, the principle of controlling taxation by parliament is still maintained. However, it raised the fact that this bill could end up being applied to determinations that were not disallowable. It also raised practical difficulties if fees and charges were set and money paid and the fees and charges were later disallowed. The committee believes that that would be disruptive to the community and leave open the possibility of claims for compensation. However, that would be the case with any disallowance motion that overturned a regulation or instrument. I have also received advice from the Parliamentary Counsel's Office that there would be no legal obligation on the government to repay any fees and charges that were later disallowed.

Subsection 6(8) of the Subordinate Laws Act states that, where a subordinate law is disallowed, the effect is the same as the repeal of that law. The Interpretation Act, which also applies to subordinate laws as if they were acts, states that the repeal of an act does not affect the previous operation of the act or anything done under that act. While I can see that the bill is meant to facilitate the imposition of the GST, the bill raises broader issues regarding taxation powers that do need to be seriously addressed. I acknowledge the concerns of the scrutiny of bills committee and the Clerk, as I have stated before on this matter. Perhaps the government should be looking at more specific ways of including the GST in fees and charges, rather than this wholesale change to the taxation powers.

I will therefore not be supporting the bill in principle. However, if sufficient members pass this bill in principle, I will be putting up an amendment later to ensure that this taxation power can be applied only to disallowable instruments, so that the Assembly's oversight of the setting of fees and charges by government is at least maintained.

MR STANHOPE (Leader of the Opposition) (11.11): This bill, presented by the Attorney-General on 9 May 2000, continues the government's downgrading of the Assembly's powers by providing that, if an act authorises or requires the determination of a fee, charge or other amount, the power includes power to determine a tax. The scrutiny of bills and subordinate legislation committee report No 5 of 2000 is scathing about this bill because it will allow the imposition of taxes by regulation, contrary to a principle that dates back further than the Bill of Rights of 1689. Mr Osborne, the chairman of the committee, has actually traced the origin of the principle to the reign of Edward I in the 13th century.

The government's response to the committee's report is inadequate and, in essence, merely reiterates what the Attorney said in his presentation speech; that is, it is no response at all because it does not address the fundamental problem drawn to attention by the committee. Why should the Assembly give up its power to control the imposition of taxes upon Canberrans for the spurious reasons given by the government?

What other possible reason is there for this Assembly to hand to the executive and the bureaucracy the power to impose taxes by regulation? Could it be that the government is concerned to cover up past actions? When the scrutiny committee raised this issue last

year in relation to taxation by subordinate laws under the road transport legislation, the Minister for Urban Services replied to the committee:

The fees provide, in addition to a component to recover the cost of administering the driver licensing and vehicle registration schemes, revenue for other road services such as major capital works, road maintenance, traffic signal systems, road signs, road safety initiatives, et cetera.

He went on to say:

In reality the Government sets a budget and fee amounts are determined in order to meet the Government's requirements.

In other words, the minister was saying that the executive imposes taxation by regulation without reference to the Assembly. It may be that some government fees and charges, such as the motor vehicle registration fee, are invalidly made and imposed and, if challenged in the courts, it is not entirely clear whether the court would uphold them.

Members would be aware that the general approach taken by the courts has been to hold that a statutory power to impose a fee or charge by a subordinate law will be restricted to fixing an amount that is genuinely a recompense for the provision of a service rendered. This is taken to mean that the fee or charge must be closely related to the actual costs and expenses incurred when the service is provided. Anything more than the actual costs or expenses could cause the fee or charge to be regarded by the courts as a tax and invalidly imposed unless sanctioned by an act of the parliament. Rather than addressing this problem through a system of good administration whereby taxes, fees and charges are all properly distinguished, calculated and validly made, the government is going for a quick fix at the cost of the Assembly giving up its power to impose taxes through an act.

In its 1999 report, the committee stated that the general principle according to which it and other scrutiny committees operate is that it is for the parliament to set a rate of tax, not for the makers of subordinate legislation to do so. The scrutiny of bills committee pointed out the longstanding constitutional position that the raising and expenditure of public revenue have long been under the control of parliament.

The Attorney's presentation speech and explanatory memorandum are, at best, misleading. In those documents it is stated that the purpose of the amendment is to remove the theoretical possibility of a legal challenge to the validity of fees and charges, to close a gap pointed out by the scrutiny committee, and to enable the ACT to collect the GST on its fees and charges.

The difficulty with these reasons is first, as I have pointed out in relation to motor vehicle registration charges, the possibility of a challenge to the validity of fees and charges is more than theoretical. Although departmental officers say that there has never been a challenge to any ACT fee or charge on this basis, there have been challenges to commonwealth fees and charges, notably in the case of *Air Caledonie International v The Commonwealth*. In that case, a fee imposed by the department of immigration was declared to be a tax. The fee per person was imposed on all persons entering Australia.

23 May 2000

The High Court held, among other things, that the money to be raised by the fee was not related to the particular services being performed at the point of entry to the country, but was intended to provide a general offsetting of the administrative costs of certain parts of the department.

Secondly, the scrutiny committee did not point out any gap in ACT law that needed to be closed, but rather pointed out that passing this bill would permit the imposition of taxes by regulation in breach of a long-established parliamentary principle, a principle that was established at least over 300 years ago—according to Mr Osborne, a principle that was established as long as 700 or 800 years ago.

Finally, there will be a dilemma for the administration after 1 July 2000. The Commonwealth legislation imposing the GST does not authorise the ACT to impose the GST, but it does require the ACT to pay the GST. Some fees and charges will be subject to the GST. If the ACT is to recover the GST component of the fee or charge from citizens, that component clearly will be a tax.

This amendment to the Interpretation Act is said to be necessary to permit the ACT to recover the GST component of any fee or charge. The scrutiny committee points out, and the Attorney agrees, that such a broad amendment as is proposed is not necessary to achieve this aim. A more specific amendment aimed at the GST problem alone would suffice.

Despite this problem with the GST, the question for the Assembly is not as posed by the Attorney-General in his presentation speech. Rather, the question is whether the Assembly should permit the possible imposition of taxation by regulation, rather than by an act. That is the question that we are dealing with here. Should this Assembly permit the imposition of a tax by regulation, rather than by an act that the government must present to the members of this place for debate and agreement? That is the fundamental principle at issue here and it is the issue which every member of this place must grapple with in considering this bill.

Permitting the possible imposition of taxation by regulation rather than by an act would remove the Assembly's power to review the levying of taxes by the government, unless the instrument imposing the tax was disallowable. Even in those cases, the Assembly's power would be limited. I acknowledge that Ms Tucker has just indicated that that is an amendment that she might consider. But even where you have a circumstance where the tax was imposed through a disallowable instrument, the Assembly's power is limited because any review would be after the levying of the tax. Arguments would be raised about disallowance disturbing arrangements put in place by business and others on the basis of the tax being levied and refunding the taxes paid before disallowance would always be problematic. In short, in practice disallowance of a regulation imposing a tax may prove to be impossible.

As was stated in the advice by the Clerk to Mr Osborne and read to this place when Mr Osborne presented the particular scrutiny of bills committee report, this power will be available in the future in possibly very different circumstances than exist now. It could be argued that there is clearly a duty of care for the future here in considering this bill. This proposal is clearly of major significance and challenges a fundamental

principle of parliamentary democracy and responsible government. To authorise the levying of a tax by way of subordinate law will be a significant diminution of the role of the Assembly.

This bill should be opposed because of its attacks on the way in which we have traditionally considered taxation legislation, and it should be opposed because of the extent to which it disempowers this Assembly and the basic role or right of members of this Assembly to determine the taxes and the imposts which a government will place on its citizens.

MR KAINE (11.21): I too have difficulty with the principle underlying this bill. As a member of the scrutiny of bills committee, I agree 100 per cent with the issues that were raised in the scrutiny of bills committee's report No 5. Our report and members speaking have outlined the historical background to the concern about executives raising taxes without review by the legislature. That is not all ancient history. As our report points out, a comment was made on that as recently as 1997 by the Senate Standing Committee for the Scrutiny of Bills. It is referred to in our committee's report. The Senate committee said:

... the vice to be avoided is taxation by non-primary legislation

What makes this executive so superior in intellect that it can go ahead and do what places such as the Senate of Australia advise us against doing? I have not seen any exhibition of such superior intellect that would set us above other institutions that have determined that this is an inappropriate way to go. The point has been well made by our standing committee and the government seems to be prepared to set those arguments aside without any consideration whatsoever.

To quote from our report, and I am referring here to a point made by the minister in tabling his bill:

The Committee does not consider that there is a 'gap' in the law of the Territory that needs to be filled by a new section of the Interpretation Act 1967. Rather, the point is that the Legislative Assembly should not, as a general matter, authorise a subordinate legislative authority to levy a tax.

That is the point at issue here, and that is what the Interpretation Amendment Bill would do. That is a principle that we should stand by. Our job is to hold the government accountable for the expenditure of public money. If we allow this bill to go through, we will establish a new principle in the territory that governments can levy taxes by subordinate legislation, much of which is not even subject to review by this place because it is not a disallowable instrument. That is the principle that I will not support and will oppose.

The explanatory memorandum argues that reversal of the principle is necessary in order to cope with the introduction of the GST. I repeat what the committee said:

The Committee is unable to evaluate this argument.

23 May 2000

The government has put no justification forward for saying that it has to enact this bill for the purpose of the GST. Our report goes on:

But to the extent that it points to the problem, it can be dealt with by a much more limited provision. That is, it could be provided that if an act authorises or requires the determination of a fee, charge or other amount, the power includes a power to make such determination as takes into account the GST.

In other words, you can do it by more specific provisions, rather than the blanket provision the government is imposing, which allows anybody in the ACT administration, under some sort of delegation, the power to levy a tax. This provision of this bill is not necessary. It can be done in a better way, a way which allows the Assembly to make its judgment on each case as to whether the subordinate legislation should be allowed or disallowed.

There is a longstanding principle here. I do not think that we ought to be disturbing that longstanding principle and embedding the diversion from it into law. I do not agree with that. The government need to go away and think again in terms of the necessity for doing what they are trying to do here. They have given no indication that they intend to do that. I make it quite clear that, until they do, I will not support this bill.

MR HARGREAVES (11.26): Mr Speaker, we should not be supporting this bill for the reasons which have been articulated very well by my leader Mr Stanhope and by Mr Kaine and Ms Tucker. I acknowledge Ms Tucker's proposed amendment, which will go some way to repairing the damage if this bill actually gets passed.

To put things more simply, we have the historical precedent that this parliament is the instrument by which taxes can be levied and we are giving it away. When we give it away to subordinate legislation, we affect the possibility of scrutiny of that legislation.

We all know that this government has dropped the period for subordinate law to sit on the table from 15 sitting days to six sitting days. That makes it very difficult for crossbench members, for example, who like to look at all pieces of subordinate legislation in case they see something with which they disagree. They will not have that opportunity. What will happen as a result of this bill is that, when a minister determines that a tax shall apply, that piece of action will be included in subordinate legislation governing any number of things.

In fact, a quick scan of the scrutiny of bills committee reports will show that something like four or five, maybe six, acts and 20 or more pieces of subordinate legislation are actually examined by the legal adviser and the committee. As I said, it is difficult for members to look through all of the subordinate legislation, given that once upon a time we had 15 sitting days to look at it and now we have six sitting days to look at it. It is a really big task for any opposition or crossbench member to examine each and every piece of subordinate legislation inside six sitting days if there is no flag to say that there may be something in them of concern. My hassle with this bill, along with the tradition that it is for members to set a tax, is that there is no flag for us to look at and say instantly whether we agree or do not agree with particular items.

Of course the opposition does not like the GST, but other people do not have the same difficulty as we have. The implications of it are quite serious. Really, what needs to happen is that we need to be given an opportunity to debate in this chamber its implications in law and not have to go searching through the reams of subordinate legislation to try to find out.

Mr Stanhope talked about the difference between a tax and a levy—a levy being a charge which is directly related to the service that we receive and a tax being that there is no relationship. I would argue that the emergency services levy was a tax as \$1 million of the \$10 million recovered went to emergency services and the other \$9 million went to fill the so-called black hole. At least the emergency services levy was debated in this chamber as part of the budget process. It was not hidden away in subordinate legislation and we had to find it if we were good enough. The biggest concern that I have is to ensure that we be notified automatically of it.

Mr Kaine talked about the implications of that sort of approach in national scheme legislation, touching on it very lightly. Mr Speaker, the GST is something which has been signed off across the country. My difficulty—the GST aside—is that if the subordinate laws are the result of something signed off amongst the states and the Commonwealth, either bilaterally or multilaterally, they are required to be subject to the administration of the interstate agreements act and this government has an appalling record of compliance with that.

Mr Humphries: That is not true.

MR HARGREAVES: It is true, Mr Speaker. The minister is saying across the chamber that it is not true. I will acknowledge this much: there are three components of the administration of the interstate agreements act. One is that individual members be given notice of something being signed prior to its signing. I acknowledge that that often happens. I am quite happy to say that it often happens. There is a requirement that the Standing Committee on Justice and Community Safety be given advice of all of them. That just has not happened.

To say that the act has been complied with is just abject nonsense. The minister can check as much and as often as he likes, but he will find that that is so. Mr Speaker, as you would know, I have sent you a letter on that and I await your reply at your leisure. I have no intention here of asking you to do it more speedily. The relevant standing committees are supposed to be told as well before something is signed off. They have not been, either. I would ask members of, say, the urban services committee to consider the last time they received correspondence from a minister advising that the government intended to sign off on a piece of legislation.

The national scheme legislation most recently talked about was the road rules. We did not have a problem with the bulk of the road rules, but the fact is that the interstate agreements act required the minister to write to the Standing Committee on Planning and Urban Services and tell it that he was going to sign off on them before doing so, but he did not do that. We have here, in my view, a number of question marks hanging over the government's head in terms of its use of subordinate legislation. I do not have the confidence that significant subordinate legislation would surface within sufficient time and in sufficient detail for us to debate it in this chamber through a disallowance motion.

23 May 2000

Also, it is an all or nothing exercise. When you talk about a disallowance motion, you are talking about disallowing the lot. I would far prefer to have something as significant as levying a tax left in the historical context. It is our right and we should not have it taken away, nor should we give it away. I reiterate that if, in fact, we allow a tax to be levied by subordinate law and if, perchance, one of the members has a difficulty with it and moves for its disallowance, recovery of the amounts involved by the people affected is nigh on impossible because it has been in force for a certain length of time.

What alternative is there? I have some sympathy for the Treasurer in this regard, because he has time against him. Later on in the daily program there is a reference to Mr Humphries, the Treasurer, presenting by leave the Goods and Services (Temporary Transitional Provisions) Bill 2000. I have not seen that bill, but it is a bill. Why could we not have had a bill presented to this Assembly giving the proper authorisations for the passing on of the tax? Why not? We have all known about the GST for some time. In a sense, we are talking about an academic treatment of how this tax will be applied and passed on. Why on earth do we need to do it through subordinate legislation?

People have been born, lived their lives and died in the time that this debate on a GST has been going on. I do not understand why the government could not have asked the Parliamentary Counsel to draft an act which empowered this government to pass on the implications of the GST, which is a tax.

I will not be supporting this bill because I do not want to give away my right as a member of this parliament to determine a tax or to contribute to that debate. I do not want to have to sift through a whole raft of information on subordinate laws to try to find something that I do or do not like. I do not want to have such a proposal sit on the table for six days and then have the difficulty of moving a disallowance motion on it. That is totally wrong. On top of that, if we can have a temporary transitional provisions bill, Mr Speaker, why can we not have a bill for this sort of thing? I urge members to vote against this bill today. Doing so would give the government a good six weeks or so to come back with a bill. Given the inevitability of the GST, we all have some sympathy with the mechanics of it and I am sure that it would probably have a reasonable passage.

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

PLANNING AND URBAN SERVICES—STANDING COMMITTEE Report on Activity in 1999-2000

MR HIRD (11.36): Mr Speaker, I present Report No 49 of the Standing Committee on Planning and Urban Services, entitled *Activity in 1999-2000*, together with a copy of the extracts of the minutes of proceedings. I move:

That the report be noted.

Mr Speaker, on behalf of my colleagues on the Planning and Urban Services Committee, Mr Rugendyke and Mr Corbell, I present a report to the Assembly which outlines the committee's work for the last 12 months. The report continues the practice established

last year whereby the committee reports to the territory's parliament on its activities in each year. Committee members hope that the report will interest their colleagues in the Assembly as well as members of the public.

The committee has met on 103 occasions since it was established on 28 April 1998. In its first year, April 1998 to April 1999, it met on 46 occasions and in its second year, to May of this year, it met on 57 occasions. Forty-five of those 57 meetings have involved a private meeting and 31 have involved a public hearing. Obviously, many meetings involved both public and private considerations. The total time taken for public hearings was 92½ hours.

In each of its first and second years of operation, the committee produced 24 reports. The reports ranged across subjects as varied as the placement of movable signs, draft variations to the Territory Plan, numbers of and conditions applying to the use of taxis for the disabled, long service leave provisions for the cleaning industry, betterment charges, tree management policies, and traffic calming measures.

Half of all the reports involved draft variations to the Territory Plan. The next largest number of reports dealt with transport issues. The committee twice examined the activities of the Department of Urban Services, once when looking at the department's 1998-99 annual report and once when scrutinising the department's 2000-01 draft budget. The longest committee inquiry took 19 months. However, a majority of the inquiries lasted three months or less.

Over 200 witnesses addressed the committee at these hearings and 244 submissions were received. The greatest number of submissions related to the committee's inquiry into draft variation No 94 for the Federal Golf Course, for which there were 121 submissions, followed by the 30 submissions for the inquiry into a tree protection policy, 21 submissions for the inquiry into a traffic warrant system for traffic calming devices, and 15 submissions for the inquiry into taxi services for disabled persons. The current inquiry into the Gungahlin Drive extension has already been the subject of 821 submissions.

All but four of the committee's 24 reports arose out of a specific resolution of the territory's parliament or by legislation. Those arising out of legislation derived from the specific provisions of the Land (Planning and Environment) Act 1991 that refer draft plan variations and draft plans of management for public land to the appropriate committee of the Assembly. The four reports that did not originate in a resolution of this place or by legislation had their origin in the power of the Assembly standing committees to self-refer matters for examination. The committee did so in the case of inquiries into car parking at EPIC, a trees policy, warrants for traffic calming measures and reporting on the national conference of parliamentary public works and environment committees.

The committee is aware of the difficulty in measuring the efficiency of parliamentary committees. With this qualification, the committee pointed out to its Assembly colleagues that it has produced 48 reports to date. On 9 May this year we tabled four reports, which is understood to be the most number of reports tabled by any committee in one sitting day. We have produced, on average, two reports for each month of our existence.

23 May 2000

We have 11 inquiries under way at this time. These include the final draft management plan for the lower Molonglo River corridor, the Tuggeranong lakeshore master plan, proposals for rural residential development and the aforementioned inquiry into the proposals for the Gungahlin Drive extension, known also as the John Dedman Parkway.

The committee performs a type of local government role in relation to many of the issues under the control of the Department of Urban Services. This reflects the fact that the territory's parliament and the government have responsibility for both state and local government roles.

Members try hard to produce unanimous reports, as that makes the view of the committee very plain to this place. However, there are occasions when it is not possible to agree on the recommendations of the report. In these cases, the committee uses one of two ways to express this disagreement. One way is by dissent, which was used by my colleague Mr Corbell, as is his right, in three reports during the year. The second way is to make plain in the body of the report that one member has a contrary view to his colleagues but is not formally dissenting from the entire report, which was used on two occasions.

We could not have achieved what we have without the input of the Canberra community. On behalf of my committee colleagues, I offer our sincere thanks to all the organisations and individuals who have provided information and submissions to the committee and who have appeared before the committee at public hearings.

The system is all about finding out as much as we can and providing a report to the parliament based on the information. We cannot do that without the Canberra community's indulgence.

Mr Speaker, our thanks also go to the committee's hardworking and extraordinarily efficient secretary, Mr Rod Power. I believe that the report makes good reading and I commend it to the parliament.

Question resolved in the affirmative.

PLANNING AND URBAN SERVICES—STANDING COMMITTEE
Report on Defence Force Co-located Staff Colleges Site

MR HIRD (11.44): Mr Speaker, I present Report No 50 of the Standing Committee on Planning and Urban Services, entitled *Draft variation (No 144) to the Territory Plan relating to the Molonglo River corridor: the Defence Force Co-located Staff Colleges site including other land within this area of Weston Creek*, together with a copy of the extracts of the minutes of proceedings. The report was provided to you, sir, for circulation, printing and publication on Monday, 22 May 2000, pursuant to the resolution of appointment. I move:

That the report be noted.

This is the fastest report that the committee has produced. The matter was referred by the minister, I understand, on Thursday when I, as chair, received the draft variation proposal. Then representatives of the Australian Army contacted the secretary and asked that the matter be given urgent assessment. To this end, the minister's officers approached the committee secretary with a view to having a special meeting convened for us to be briefed in respect of the implications of the proposed draft variation. That was undertaken. I sincerely thank my colleagues Mr Corbell and Mr Rugendyke.

The committee met at short notice yesterday and informed itself as to the impact of the proposed draft variation on the community. The committee decided to endorse the variation, but members of the committee have expressed their concern that this not be treated as the norm and that draft variations should go through the usual channel, as set up over the years by the committee. I commend the recommendation in the report to the house.

Question resolved in the affirmative.

Sitting suspended from 11.46 am to 2.30 pm

VISITORS

MR SPEAKER: Before I call on questions, I would like to acknowledge the presence in the gallery of students from Trinity Christian School studying local government and elections. Welcome to your Assembly.

QUESTIONS WITHOUT NOTICE

Bruce Stadium—The Ultimate Rock Symphony

MR STANHOPE: Mr Speaker, my question is to the Chief Minister. On 10 May, in debate on the release of papers associated with the cancelled Ultimate Rock Symphony at Bruce Stadium, the Chief Minister maintained that Bruce Operations was not a party to the insurance policies required under the terms of the contract that BOPL had entered into with ITC. In fact, the Chief Minister said:

So the policy is between the International Touring Co, as required in the contract with us, and the insurer, not with us at all ...

It is not our insurance policy. The insurance policy was signed by the International Touring Co and the insurer ...

I can guarantee to the Assembly that BOPL is not a signatory to this policy.

Can the Chief Minister tell the Assembly whether this is still her view, and can she confirm that BOPL is not a party to the insurance and, in addition, that there is a signature of any party on the insurance papers?

23 May 2000

MS CARNELL: As Mr Stanhope would know, it certainly was not up to BOPL to take out the insurance on behalf of the Ultimate Rock Symphony concert in Canberra. In fact, the contract, which members of the Assembly have, indicates that it is the responsibility of the International Touring Co to take out the insurance, not just for our concert but for all of the concerts.

Mr Stanhope: That is not true.

MR SPEAKER: Just a moment, Mr Stanhope. I hope we are not going to have one of those days when you are constantly interjecting. Otherwise, I will have to deal with you. Apart from that, there is a suggestion that the Chief Minister is not telling the truth, and I would like it withdrawn.

Mr Stanhope: I withdraw the suggestion that the Chief Minister was not telling the truth.

MR SPEAKER: Thank you, and let the Chief Minister finish.

Mr Stanhope: But it is not consistent with the contract.

MR SPEAKER: The Chief Minister is answering the question.

MS CARNELL: The contract requires the International Touring Co to take out insurance to cover the concert in case of things like rain, cancellation and so on. That is exactly what happened. The International Touring Co took out the insurance to cover BOPL for their expenses in case of rain or cancellation. That is exactly what happened. It is what the contract says was the responsibility. It is certainly true, as I think I said in the house, that the joint venture partners like BOPL were named in the contract but certainly were not responsible for taking out the insurance. That is quite clearly the responsibility of the International Touring Co.

MR STANHOPE: I ask a supplementary question. I thank the Chief Minister for that total non-clarification of the issue. Can the Chief Minister confirm that the insurance arrangements entered into by ITC in respect of the rock concert also covered the \$10 million of public liability insurance and the third-party insurance for intellectual property rights as required explicitly by clause 2(i) of the contract between BOPL and ITC? If so, will she arrange for copies of those policies to be provided to the Select Committee on Government Contracting and Procurement Processes?

MS CARNELL: I would have thought it was up to the Select Committee on Government Contracting and Procurement Processes to ask for what they want and not to use the Assembly to do so, because, as we explained last time, BOPL is not the government. The Stadiums Authority is not the government. I am very happy, as I said last time, to write to BOPL and ask them for any information that those opposite ask for. I am more than happy to do that, and will do so again. That is not a problem. But we went through this once before. This is just the opposition playing politics. The fact is that they have the information they need, they know they have it, and they have no better questions to ask.

Bruce Stadium—Rugby Grand Final

MR HIRD: Mr Speaker, I would like to direct a question to the Chief Minister. Chief Minister, will you take personal responsibility for not building a football stadium big enough to accommodate all the people who want to see the mighty Brumbies in Saturday night's Super 12 grand final?

MS CARNELL: Thank you very much, Mr Hird, for the question. I absolutely take responsibility—

Mr Stanhope: Was the stadium built legally? Did you break the law to build that stadium, Harold?

MR SPEAKER: Order! Somebody will be getting sent off before the game begins.

MS CARNELL: It is a bad precedent, when we have young people in the gallery, to have those opposite interrupting all the time. Mr Speaker, I certainly take responsibility. Isn't it wonderful to see everyone in Canberra getting so excited about the Brumbies final on Saturday night? Wasn't it wonderful to see a sell-out crowd for the semifinal last week between the Brumbies and the Cats? Wasn't it great to hear so many Canberrans talk about how wonderful the stadium was and how well it coped with the quite significant crowds on Saturday night? The way the stadium handled the capacity crowd with relative ease proved that the government was right in building a state-of-the-art stadium, a top-class venue. As I walked around the ground, it was great to hear so many people commenting on the great improvement to the old stadium and how great a view they had of the game.

There is so much interest in this weekend's match that I am informed that at least 10 businesses are now on the waiting list for corporate facilities for Saturday night and that the suites are all sold out. Those opposite indicated that those suites would never sell; that they were absolutely hopeless; that there were no redeeming features. There is now a waiting list for Saturday night.

The semifinal last weekend and the final this weekend will give the ACT publicity, not just in the ACT and not just in Australia but right around the world. There are very large audiences in Europe, South Africa and New Zealand but in many other parts of the world as well, including the USA. What a great opportunity for the ACT to show off what a great stadium we have, to show off Canberra as an exciting and wonderful place to be.

The Brumbies have been wonderful ambassadors for the ACT since entering the competition. On behalf of, I am sure, most of the people here, I would like to thank them for the great work they have done and to wish them all the best for the weekend. They are truly a credit to themselves, to the Brumbies club, to rugby union and to Australian sport in general. Wasn't it great to see all of the tickets for Saturday night, including 2,000 tickets for standing room only, sell out before lunch? So, Mr Hird, maybe we should have built a bigger stadium.

Bruce Stadium—Marketing

MR QUINLAN: I saw the Brumbies on Saturday night. I am pretty sure they would have filled any ground. I thank Mr Hird for the introduction to my question, which is directed to the Treasurer. In September of last year, the Chief Minister revealed, in answer to a question on notice, that the government was involved in a legal dispute with the marketing consortium that won the right to market Bruce Stadium. The consortium was engaged on the basis that it would raise \$13 million in sponsorship for the new Bruce Stadium, but it managed to raise only \$195,237 in 12 months. The consortium was paid half of its \$1.8 million contracted fee for this work. Can the Treasurer advise the Assembly the status of that legal action? Has it been resolved and, if so, what was the result?

MS CARNELL: Mr Speaker, I will take that question, as Bruce Stadium is within my responsibility. The legal action against the marketing company NVM is entering arbitration—mediation—in the very near future. It is very interesting that Mr Quinlan should ask this question, because Mr Quinlan was the person who, in the media, was talking about what a wonderful stadium Colonial was and how the ACT could not possibly have hoped to do such a wonderful job as they have done in Victoria. Who else is in conflict with NVM? Colonial Stadium is. NVM are the managers of Colonial Stadium and also had the marketing contract there.

As we will see, there are significant issues between Colonial Stadium and NVM over the stadium that Mr Quinlan raved on about and suggested that the ACT should emulate more closely. I am very surprised that Mr Quinlan would ask any questions at all relating to the marketing company or Colonial Stadium.

MR QUINLAN: I ask a supplementary question. While I was in Melbourne looking at Colonial Stadium, I did ask whether it was built legally or illegally. They assured me it was built legally, which is a minor distinction!

MR SPEAKER: No preamble, please, Mr Quinlan.

MR QUINLAN: I thought it would benefit the house, Mr Speaker, to have that point clarified. Can the Chief Minister bring us up to date on the sale of the naming rights of Bruce Stadium?

MS CARNELL: Mr Speaker, that is hardly a supplementary question. I do not know what it has to do with a legal conflict.

MR SPEAKER: So you do not have to answer it if you do not wish.

MS CARNELL: I am happy to say that negotiations are continuing. There are a number of interested parties.

Hospitals—Waiting Time for Treatment

MR CORBELL: My question is to the Minister for Health and Community Care. Minister, the Department of Health and Community Care's performance report for the March 1999-2000 quarter reveals that, in the third quarter of 1999-2000, 35 per cent of public hospital patients were waiting longer than clinically desirable for treatment. Can the minister explain why over a third of the ACT's public hospital patients must wait longer than clinically desirable to receive treatment, and how long exactly is "longer than clinically desirable" in most cases?

MR MOORE: Thank you for the question, Mr Corbell. I am delighted the question is about waiting times, not so much about waiting lists. Waiting times are divided into four categories.

Mr Berry: Waiting lists are important too, Michael.

MR MOORE: Emergencies are done immediately. Then we have category 1 cases, for which the clinically required time as designated by a specialist is within 30 days. For category 2 it is 30 to 90 days, and for category 3 it is 90 days to a year. Both hospitals have performed quite well, as you will note from the figures in category 1 for the quarter. Over 90 per cent of category 1 people are dealt with within the clinically required time. Our performance goal for category 1 is 97 per cent. We are not quite there, but we are pretty close. The greatest challenge is in category 2.

Mr Berry: Only 90 per cent for category 1!

MR MOORE: Mr Berry continues to interrupt. He started his interruptions by saying that waiting lists are much more important than waiting times. We might remember what happened under Mr Berry as health minister.

Mr Corbell: Why are over a third of patients waiting longer than clinically desirable? Answer the question, Mr Moore.

MR SPEAKER: Mr Corbell, I warn you.

MR MOORE: What happened under Mr Berry as health minister was that—

Mr Berry: I take a point of order, Mr Speaker. I do not mind if Mr Moore answers Mr Corbell's question in any way he chooses, but if he wants to attack me he should stick to the facts and not try to mislead this place.

MR SPEAKER: And I would suggest that you all stop interjecting.

MR MOORE: Under Mr Berry as health minister waiting lists were continually growing and growing, so I am surprised that he should raise—

Mr Corbell: I take a point of order, Mr Speaker, on the ground of relevance. My question specifically related to the 35 per cent of all patients waiting longer than clinically desirable. Mr Moore has not yet answered the question.

23 May 2000

MR SPEAKER: It is up to Mr Moore to answer the question as he sees fit. I remind you, Mr Corbell, that Mr Moore was provoked by constant interjections from Mr Berry, and I will not tolerate them. I am sure Mr Moore is getting around to answering the question.

MR MOORE: Mr Speaker, I am certainly answering the question. While Mr Berry was health minister, there was a constant growth in the number of people on the waiting list and the amount of time they were on the waiting list. When I became minister, there was an immediate blow-out because we had a dispute with the doctors. Since that time there has been a constant reduction in the number of people on the waiting list.

An Assembly committee inquired into this issue and made recommendations about what we should do. We are implementing all those recommendations—very good recommendations they were, too—plus we are going further. Only recently we indicated that we had called for tenders to provide our services—

Mr Berry: Privatised.

MR MOORE: No, not just private. It was not privatised. We have asked the Canberra Hospital and the Calvary Hospital to tender for money and to show us what they can do. But if they cannot do it, we are also interested in other hospitals, because we are interested in dealing with the problem Mr Corbell is talking about. On the one hand, we have constant calls from Mr Stanhope saying, “Don’t do any privatising. Don’t do that. Don’t do this. Don’t do the other. Don’t, don’t, don’t.” It is always negative. On the other hand, he is saying, “But you have not dealt with it.” As soon as we start to take a new approach to dealing with a long-term problem, I am criticised.

Mr Corbell, we have a serious problem in our category 2 patients, which you have identified. We are doing a range of things to deal with that. First, we are working under the recommendations of the Assembly committee. Secondly, we have put the list money to tender and said, “Who can do more to help me?” Tenders are being considered at the moment. Of course, that is at arm’s length from me. We will see how much of the money can be used. In that way we will explore the capacity of the hospitals in the ACT, both private and public, to deal with waiting lists. A series of other actions are also taking place at the moment to try to deal with the lists.

Category 2 patients are our most serious concern. There are people in category 3 who are also waiting longer than necessary, although the concern there is not as great as it is in category 2. There is also a concern, Mr Corbell, that some patients are inappropriately categorised as category 2. The professor of surgery is looking to see who is inappropriately categorised in category 2 to ensure that people are not missing out or waiting longer for treatment because somebody else has jumped the list. That is very important. That may change the nature of the lists as well.

MR CORBELL: I ask a supplementary question. The same report from the department says that the figure is higher than the annual target of 30 per cent. Can the minister say whether the government now regards the fact that 30 per cent of patients wait longer than clinically desirable is an acceptable target for service delivery?

MR MOORE: No, it is not an acceptable target, Mr Corbell. Step by step we will try to bring down the number of people who are waiting. We will do this as effectively as we can. When the Assembly committee looked at this issue, they realised just how difficult it was. One of their recommendations was to do with pooling. We will not be able to pool patients unless we have the support of the specialists. The last thing I want is for the specialists to put down their tools and say, “We are not going to do that.”

It is important for the specialists to understand that they do not own the patients. When we are talking about a public patient, we are talking about ensuring that the patient is treated by somebody who is appropriately qualified, but the difference between a private patient and a public is that, whereas the public patient is entitled to somebody appropriately qualified, the private patient is entitled to the doctor of their choice. There is an issue of ownership of patients. It is an issue the committee that Mr Wood chaired dealt with. It is a difficult issue, but we are working to try to resolve it in a collaborative way with the doctors involved.

Civic Bus Interchange—Shelters

MR WOOD: Mr Speaker, my question is to the Minister for Urban Services. Minister, despite repeated and prolonged criticism of the new bus shelters at the Civic interchange, the redevelopment is going ahead unaltered. The new shelters—and I use the word “shelters” in inverted commas—do not shelter commuters from wind or rain or sun. In fact, I do not know what their function really is. Maybe this is a modern art installation and the shelter function is a thing of the past. ACTION commuters, who are already an endangered species, will not be encouraged to increase their numbers during winter. Without proper shelter, perhaps they will die out altogether. Minister, on a frosty morning like this, why have the bus shelters not been designed to provide shelter?

MR SMYTH: It is a good question from Mr Wood. There is a lot of misinformation about the effectiveness of the new shelters. It is important that when you design a shelter you take into account a number of considerations. We looked at providing shelter from the sun, wind and rain and the ability for passengers to move onto buses without getting wet. We also took into account security concerns. The federal Minister for Justice, Senator Vanstone, recently released a report about the perception—not the truth—that it is unsafe to travel on public transport at night. We have very few incidents on our buses at night. Interchanges across the country are seen as places that are not safe.

When you set out to refurbish an area like the Civic bus interchange, you have to take into account all of the things that need to be considered. You have to look at the new shelters against the heritage-listed Melbourne Building. You have to provide protection from the sun and rain. You have to make sure that the shelters are secure and that they blend in with the city. In the main, they do this.

Part of the criticism is that you do not get a shadow to sit in when you are sitting in the shelter in the sunlight. The glass removes more than 99 per cent of the UV rays from incident light. On its own, the glass will also remove about 44 per cent of the infrared incident light or solar radiation. I do not have the technical data with me here, but the tests we did show that the new shelters are one to two degrees cooler than the old shelters. You have to combat perception. The glass has some tint and we will increase the tint. The set-up of the shelters is such that they are cooler.

23 May 2000

There was a substantial gap between the old shelters and the buses, and people got wet when they crossed from the shelters to the buses. With the sloping roof of the new shelters, buses can get closer to the shelters. The gap through which passengers travel exposed to the elements is smaller. The angled roof was chosen so that any heat build-up inside the shelters dissipated quickly. The heat was given a direction in which to travel so that there is not a build-up of heat inside the shelters.

I can go on. Great care was taken in the design, particularly in regard to security. There is mesh at the back and you can see through it. If you can see through it, of course it also allows the wind in, but at the same time it does allow visual access, and the security of the passengers is improved. Unfortunately, many public facilities and installations are the target of vandalism. The new shelters are built from materials that are vandal proof, and we hope that they will prove successful in that regard.

A lot of effort has gone into this. We have listened to some of the criticisms that have been made. We will experiment with some of the tinting so that it is quite apparent that there is a shadow, and if you want to sit in a shadow hopefully that shadow will be there. The new shelters are cooler. They are more visible and are therefore more secure. They provide more protection from the rain when you move from the bus to the shelter or from the shelter to the bus. The tactile tiling in the interchange is also user friendly for the visually impaired.

Overall, there has been a tremendous improvement in the look of the interchange. The new shelters are not like the old bomb shelters, which were made of case-hardened concrete, which you could not see into and which were dark at night. The new ones are much better for personal security and looking after patrons.

MR WOOD: I ask a supplementary question. Mr Smyth went into great detail to tell me how much care had been taken to make sure the design was unsuitable for some people. Is it the case then that it is unsuitable for all people?

MR SMYTH: We will hear from the Treasurer in a few minutes about our approach to building up the infrastructure that makes Canberra a great place to live. We will hear from our Treasurer about building up the social capital, the things that we value about living here in Canberra. By contrast, all those opposite do is tell you what they cannot do or what they do not understand. It is impossible to design a bus shelter that meets all needs at all times. I would be interested to know how much Mr Wood, as a former minister responsible for ACTION, would spend on bus shelters.

It would be very interesting to find out how much those opposite would spend and where they would get the money from. They are the people who left a \$344 million deficit. We have put an enormous amount of money into refurbishing Civic. We want to make Civic a vital, enjoyable place by improving the public transport system and refurbishing the bus interchange. I have received lots of positive comment about the look of the interchange and how much more friendly it is. We have had some criticism of the shelters and the way they function, and we will look at that. But in the main they do function well.

I had a letter from a retailer recently about how much more light now gets into her business premises. She has noticed that people come in and say that the shelters are far more effective in what they do but also enhance the look of the place and increase her business. All the concerns one would address in refurbishing the Civic bus interchange have been taken into account. Ultimately, the interchange will function much better. It looks much better already. This government will continue to build up the essence of what it is that makes Canberra a great place to live. We will hear from the Treasurer shortly about how we are going to achieve that.

Internet Gambling Licences

MS TUCKER: My question is to Mr Humphries. Mr Humphries, could you tell the Assembly exactly what stage the Internet licences you issued are at? In other words, have they gone through all the stages and are they working now? Could you explain for the Assembly the process by which you issued those licences and the stage they are at?

MR HUMPHRIES: Two licences were issued last week, one to Tattersalls, the other to ACTTAB. The process leading up to the issuing of those licences took some time, close to 18 months in the case of Tattersalls, not quite as long in the case of ACTTAB. Both licences were issued according to the legislation last week. I did see a report in the paper that there was some problem and that the process of implementation had not been fully completed or that the licences had not been issued. That is not the case. Both licences are fully issued and fully available now to the licensees to operate. What stage each licensee has reached in being able to start their service I do not know. I would imagine that neither has yet begun their service based on the licence, but I would expect that to happen relatively soon.

MS TUCKER: I ask a supplementary question. Just for clarification, what you are saying is that you have given them licences but you do not know whether they are ready to go yet or are capable of going yet?

MR HUMPHRIES: It has taken quite a long time to get to the stage of issuing the licences—some months—and I imagine that neither company was ready to flick the switch on day one, which was last week, but I imagine it will not take very long before either licensee is operational.

JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE Scrutiny Report No 8 of 2000

MR OSBORNE: Mr Speaker, I seek leave to table *Scrutiny Report No 8* of the Standing Committee on Justice and Community Safety, incorporating the duties of a scrutiny of bills and subordinate legislation committee.

Leave granted.

MR OSBORNE: I present *Scrutiny Report No 8*.

MR SPEAKER: It being 3 o'clock, in accordance with the resolution agreed to earlier this day, I call the Treasurer.

23 May 2000

APPROPRIATION BILL 2000-2001

MR HUMPHRIES (Treasurer, Attorney-General and Minister for Justice and Community Safety) (3.01): Mr Speaker, I present the Appropriation Bill 2000-2001, together with its explanatory memorandum and the following supplementary budget papers:

Budget 2000-2001
Financial Management Act, pursuant to section 13—Budget 2000—
Speech 2000-2001 (Budget Paper No. 1).
The 2000-2001 Budget at a Glance (Budget Paper No. 2).
Overview 2000-2001 (Budget Paper No. 3).
Budget Estimates 2000-2001 (Budget Paper No. 4).
Canberra: Building Social Capital.

Later this afternoon I will be presenting the ownership agreements and the purchase agreements relating to my portfolios. Other ministers will be presenting the purchase agreements relating to their portfolios.

Title read by Clerk.

MR HUMPHRIES: I move:

That this bill be agreed to in principle.

Mr Speaker, it gives me great pleasure today to present the 2000-2001 budget for the Australian Capital Territory—the first ever balanced budget which, as a result, allows us to invest heavily in building the social capital of our city. This is a budget which contains no new taxes, no new centralised redundancies and no major asset sales. This budget delivers an accrued surplus of \$4.2 million, and projections of rises in that surplus in future years. It does that while making significant investments in areas of need in our community. These investments are only possible because we have attained a solid budget position—something which this government has worked hard to achieve since being elected in 1995.

This responsible approach to our budget remains a critical difference between those on this side of the chamber and Labor. We accept that spending more than we earn is a principle of budget management which is fundamentally wrong.

Today sees the dividend of five years of responsible financial management by this government—a dividend which allows us to foster a community which builds, and uses, its social capital. This is a budget which has already undergone significant public scrutiny, following our decision to release a draft budget in January. Since that time, more work has gone into preparing the final budget today, which includes analysis of comments offered by Assembly committees and the community.

Mandate

This government was elected in 1995 on a platform of responsible financial management. We immediately introduced accrual budgeting to the ACT public service. This gives us a true picture of the state of our budget. Agencies, and the Assembly, could see and understand the importance of responsible financial management.

We inherited an operating loss of \$344 million from Labor. Constantly spending more than we earned without any regard for the long-term consequences was setting the ACT on a slippery path which would end in long-term financial ruin, much like that experienced in Victoria. Our mandate was confirmed in 1998, when the ACT community again rejected the approach of Labor to spend far more than was in the budget.

When the Chief Minister presented the 1999 budget she said that the strategy adopted by the government would see the ACT's operating loss eliminated within two years. Today, it is therefore with great pride that I tell the people of Canberra that we have honoured our commitments, and this budget, for the first time, delivers a modest surplus. But, just as importantly, it allows us to make a real and substantial contribution to further improve the quality of life in our city. That is what I mean when I talk about social capital. Moving the ACT into a long-term, secure financial future means we will not spend our time battling debt, and when government achieves that secure financial future it can best turn its attention to building a high quality of life for our local community.

Today, this budget achieves a responsible surplus. It does not quarantine lots of money in a surplus to impress the economists. It balances our books, invests in the vital services we provide to our community, and, importantly, begins responsibly planning for the future liabilities of our community. That remains the difference between the Carnell government and Labor.

Economic Outlook

The ACT economy remains vibrant and enjoys strong growth. The outlook for business remains good. The strength of our economy is an endorsement of the approach taken by this government to diversify our base following significant federal budget cuts in 1996-97. It is also a testament to Canberra's business community, which has got behind the government's strategy to diversify the economy. Unemployment is at an all-time low. Employment is high. Population growth is expected to continue its steady increase, but will still remain below national levels.

Some global influences are likely to be felt in Canberra in the next year. Consistently higher petrol prices caused by a down-turn in production by world oil producers is having an effect on the consumer price index across Australia. Canberra will be no exception to that trend. Higher global interest rates will be a challenge for some Canberra families and businesses in the coming year as well.

Despite those factors, the government remains confident about the outlook for the ACT economy. We are in a sustainable position, and our responsible approach to the budget ensures that there are sufficient funds to meet the needs of the community. But the

23 May 2000

government is, once again, being conservative in its forecasts for growth in the economy. We forecast growth in the ACT economy of 3.8 per cent in the next year, and an underlying CPI of 2.5 per cent.

GST

Mr Speaker, this budget is the first which will feature the full effect of the new goods and services tax. The major change in Commonwealth funding arrangements arising from tax reform is that all of the GST revenue will be passed to the states and territories, replacing financial assistance grants as the major component of Commonwealth grants. Not since World War II have the states and territories had access to a tax base which grows in line with growth in the economy. This is a result of the nature of the GST being a growth tax.

However, in the early years of the GST, the total pool of GST revenue to be distributed to the states and territories will not be enough to compensate for the abolished financial assistance grants and taxes plus the additional costs imposed on the states and territories. The Commonwealth will need to make additional payments to abide by the principle that states and territories will be no worse off. The ACT is well prepared for the commencement of the new tax on 1 July.

Mr Speaker, it is a matter of record that the Carnell government has argued persuasively to end the 10 years of funding cuts since self-government. In 1999-2000 general revenue assistance rose by 18 per cent or \$57.5 million. As members know, I attended the first meeting of the Ministerial Council for Commonwealth-State Financial Relations on 17 March 2000. I have already reported to the Assembly the successful outcome which saw the ACT gain a further funding allocation for general revenue assistance of \$30 million in the current budget year.

Importantly, this outcome represents an increase of \$21.3 million in the current budget over that foreshadowed in the draft budget. In the most part, this increase was due to adoption of the Commonwealth Grants Commission's 2000 GST relativities which reflect the ACT's higher costs of service provision and revenue-raising capacity relative to the Australian average. This result emanates from the hard work put in by this government demonstrating to the Commonwealth Grants Commission that, among other things, the ACT's national capital factors warranted an assessment more reflective of the territory's circumstances.

On top of CPI, GST will also add 10 per cent to most non-exempt government fees and charges. As the Commonwealth government is reclaiming the embedded wholesale sales tax savings from the ACT, and states, there is little ability for the government to pass these savings on, for the most part, to consumers as there would be for business. Individual ministers will be issuing statements about the impact of GST on fees and charges soon.

But GST also raises a number of issues for our local community which are not isolated to government. GST will have a real impact on some groups which deliver important services to people in need in this community. The government will help those groups, and I am pleased to confirm that we will top up grants for service provision by the

community sector by 10 per cent, at a cost of \$517,000 in the first year. It is necessary for all of these groups to be GST registered and have an ABN number in order to gain any benefit from this top-up.

I am also pleased to advise that the ACT club industry has agreed to larger clubs accepting a discount of the GST credit equal to the refundable credit amount payable to the smaller clubs to support the ongoing viability of the smaller clubs. This will help maintain the viability of some smaller clubs and maintain the current ACT concessional tax treatment introduced last year.

In addition, the government will provide \$110,000 to insulate foster carers from any effects of the GST on the costs of them providing the care services, including rent or board and other consumables. Apart from these changes, Mr Speaker, the GST has made essentially no difference to the budgetary position presented in the draft budget.

The Draft Budget

On 17 January I released a draft of the ACT's 2000-2001 budget. It contained a range of initiatives aimed at improving services in health, education, police, public transport and the appearance of our city. It was a draft of our budget which achieved a \$2.193 million surplus. Assembly committees and the community have had the best part of four months now to examine those estimates, and during that time they made recommendations to the government on how to improve the budget.

It is a matter of great regret that the Labor Party set out to oppose the draft budget process at every opportunity and would not accept the challenge which falls to government every year to not spend money it does not have. Labor squandered an opportunity to prove that they had changed from the fiscally irresponsible times of the past. Despite this approach, the government has not given up on a mechanism to consult the community, in advance, about budget priorities and directions. Some genuinely good ideas arose during the budget consultation process, and I will indicate that the government has accepted a number of them.

The Budget Overview

I turn to the budget overview, Mr Speaker. As I have already said, this budget is a balanced budget. A healthy bottom line is good, but so are the underlying principles upon which the budget is based. Expenditure is up two per cent on the current year's forecast outcome to \$1.892 billion. Revenue is up two per cent on the current year, primarily as a result of Commonwealth grant increases and good performance in land sales, to \$1.901 billion.

When this government commenced its plan for Canberra as a clever, caring community, we did so knowing we had to achieve a balance between catering for our city's basic needs and developing our city as one of the future. This budget continues that approach.

Moving the budget into surplus while ensuring higher levels of funding for essential community services means the community can receive the dividend from the government's five years of hard work. A stable and responsible budget and a real

23 May 2000

investment in a clever caring community building its social capital is this budget's real bottom line, Mr Speaker.

Building Social Capital

I use the term "social capital". Social capital is not a new concept for our community, but the extent to which government is involved in it, fosters it, and continues to build it is very much a theme of this budget. In a first for any Australian government, we have included a supplementary budget paper on building social capital which defines what we mean when we talk about partnerships in our community, interdependence, trust and values.

Social capital is considered the fourth dimension of a functioning economy. It adds to the market concept of financial capital which covers property and equipment; environmental capital such as land, farming and mining; and human capital that includes the skills and education of the work force. Social capital exists in the reciprocal relationships between people who know and trust each other, and who have shared interests and beliefs. These relationships operate for the benefit of all involved. They are generated when people come together in families, at work, neighbourhoods, sporting, social, religious and local organisations, and formal as well as informal meeting places.

A community with high social capital supports and includes its disadvantaged members, enabling them to participate in valued social and economic roles. Strong social capital underpins high quality of life. Family and community support enriches people's lives and provides them with a stock of resources to maximise their potential. The ACT government is taking the lead in Australia in building on the unique aspects of the Canberra community to strengthen its social capital.

In this budget, we have had a critical look at ways we, as a government, can help the community to help itself. Fundamentally, that makes this budget a liberal budget—not a conservative budget but a liberal budget.

The government is today announcing \$3.5 million in new expenditure in the coming year, rising to \$4.5 million in future years, to build social capital in areas of our community which need it most. This money will fund 19 specific initiatives which are described in detail in the supplementary budget paper entitled *Canberra: Building Social Capital—Budget 2000*. The programs are innovative, well targeted and especially designed to support young people, particularly those at risk, and families I am pleased to tell the Assembly today that the initiatives funded from this program include the following:

For our young people:

- \$700,000 to strengthen links between schools and the local communities linking schools, children and families in targeted before and after school programs, particularly for those at risk.
- \$120,000 to provide continuing support for programs aimed at reducing the risk of youth suicide.
-

-
- \$305,000 for two projects to provide support to young indigenous people, particularly those at risk of substance abuse and those who come into contact with the justice system.
- \$330,000 for two projects to support young offenders addressing their offending behaviour, particularly young sex offenders.

For families:

- \$90,000 for the well babies project, a program to promote health and wellbeing for mothers from the time of conception, especially to reduce alcohol and cigarette consumption during pregnancy.
- \$325,000 for a program to support early intervention for families with problematic substance abuse, and to provide community support for mothers and babies with special or complex needs.
- \$70,000 for a program to provide professional support and counselling to mothers suffering post-natal depression, and their families.
- \$80,000 for the good beginnings project, a way of providing volunteer home visits to families who need social support.

Mr Speaker, I am also pleased to confirm that the proposed funding of \$636,000 per year, contained in the draft budget, for substantial funding boosts for the Child and Adolescent Mental Health Service for early intervention services, is in addition to the building social capital initiatives, and is funded in this budget.

Crime and Community Safety

I turn to the issue of crime and community safety. In the draft budget the government announced two major issues aimed at fighting crime. The first was an increase of \$4 million to the AFP budget to ensure the ACT community could take advantage of the productivity improvements in the AFP's certified agreement endorsed by the AFP's work force. This equates to around 40 extra police. Secondly, the government proposed committing \$500,000 for safety cameras in Civic. I am pleased today to confirm that both these amounts remain in the budget. Indeed, Mr Speaker, I hope to call for tenders for the camera project in Civic within weeks.

But the government is aware of the problems being caused to the community by significant rises in burglaries and car thefts across Canberra. There are those who think that they can profit from crime, and today I send the strongest possible signal to those people that a key feature of this budget is a multi-pronged approach to property crime. On top of the \$4.5 million we committed in the draft budget, I am today announcing a further \$5.5 million for spending on crime initiatives during the coming year. Those initiatives will principally centre on reducing crime in the key categories of burglaries and car thefts. This budget commits \$10 million of new money to crime fighting and crime prevention initiatives.

23 May 2000

In recent weeks I announced that the AFP would move to civilianise its communications centre, replacing trained police officers with civilian call-takers. The AFP's communications centre will now be staffed by specially trained civilian officers, and those police positions which are freed by the civilianisation will be transferred to operational duties.

The government has also announced that the AFP will create two special strike teams, independently resourced and accountable for their activities, which will target the high-profile activities respectively of burglaries and car thefts. These teams will be mirrored on two concepts, but differing slightly from each other. The first is the highly successful National Avian Strike Teams which target high-level drug trafficking offences. The second is the outstandingly successful Police Operation Chronicle, which targeted burglaries and car thefts in late 1999. This new strategy will feature an intelligence-driven approach to solving crime problems.

Mr Speaker, the commitment to civilianise communications will provide 29 police positions, all of which will be transferred to these new strike teams. But today I am announcing that the government will supplement a further 15 new police positions during the next financial year, all of them being used to combat rises in burglary and car thefts through the new strike team approach.

Adopting a recommendation from the Standing Committee on Justice and Community Safety in its report on the draft budget, the government will provide funding for the creation of six community beat police officers, starting from 1 January 2001. These officers will work in local communities, with a crime prevention focus, developing intelligence for investigations to combat serious crime. I have asked the Australian Federal Police to develop comprehensive operational plans for these community beat police officers, including areas which will be targeted.

These initiatives represent a commitment of 50 new operational police officers to the ACT in the next financial year, the largest ever boost to police resources.

In addition, Mr Speaker, the government is establishing a \$1.2 million crime prevention fund which will be used to establish partnerships with insurance companies and other industry groups to allow the community to access new initiatives to prevent crime, particularly property crime. Some of the concepts being explored by the government include subsidies to access vehicle immobilisers, along the lines under trial in Western Australia, and subsidies for deadlocks or alarms in houses in high-crime suburbs.

A further \$92,000 will be made available each year for police to purchase special equipment, or trial new technology, to aid the strike teams in their crime prevention work. I should add that this investment in crime fighting is the largest ever by an ACT government and can only happen because we got the fundamentals of the budget right in the first place.

Five years of responsible financial management gives us the ability to commit these resources knowing that we are not going into debt to fight property crime as one of the ACT's growing social problems. Contrast all of these initiatives with Labor's approach to police when in office. Every year the police budget was cut, even when crime was increasing dramatically. Also, following the dramatic change in driver behaviour after

the introduction of speed cameras late last year, the government has allocated \$305,000 for the purchase and operation of another two cameras, and the coverage area will be widened.

Tax Changes

Mr Speaker, the substantial increases in Commonwealth payments to the territory are again the major items on the revenue side of the budget this year. This budget forecasts a two per cent increase in revenue during 2000-2001, but, except for government fees and charges which will attract GST, this growth comes about with no increases above CPI in the general area of government taxes.

The government will accept a recommendation of the Standing Committee on Justice and Community Safety to increase the victims assistance levy on offenders from \$30 to \$50, raising \$30,000 in a full year. In addition, in particularly good news for ACT businesses and others, there are a number of specific tax reduction initiatives that will begin to occur during this budget, and more that will occur in the next budget.

In 1998, the government introduced the insurance levy, which raises \$10 million per year. Labor made its view known that the levy should be placed on rates, not insurance. That levy was introduced to offset the call on the budget for emergency services, which cost this community in excess of \$35 million per year. Mr Speaker, in recognition of the fact that the government no longer has to sustain an operating loss of the magnitude that we inherited from Labor, the insurance levy will cease to apply after 30 June 2001.

To ensure that the full flow-on of the abolition of the levy reaches consumers, in the same way as it was passed on by way of price increases following its introduction in 1998, I will be asking the ACT Office of Fair Trading and the ACT Revenue Office to ensure a compliance program is developed for insurance companies, and the government will consider legislation to ensure consumer protection, if that is necessary, during the course of the next year. We justified the introduction of the levy on the basis of the territory's operating loss. Now that we have eliminated that loss, we abolish the levy. No loss—no levy.

Contrast that practice with Labor's form on petrol tax. Labor breached their commitment to withdraw a special, limited 3c per litre tax on petrol in 1992. When they left office in 1995, that tax was still in place.

Mr Speaker, the ACT government has sought to attract new businesses to Canberra in recent years to diversify our private sector and employment base. That strategy was a very successful answer to the significant public service cuts this city has had to wear from federal governments of both persuasions since self-government.

As I announced in the draft budget, the payroll tax threshold will rise from \$800,000 to \$900,000 on 1 January 2001, meaning that around 60 more businesses will no longer pay payroll tax. But, Mr Speaker, in an effort to continue the attraction of business to Canberra, and as a comprehensive measure to support growth for businesses already here, the payroll tax threshold will rise further in forward years.

23 May 2000

The threshold will rise to \$1.25 million on 1 July 2001, and to \$1.5 million on 1 July 2002. By the time the graduated scheme is in force, 230 businesses which currently pay payroll tax will pay no payroll tax, and the impost on every business which will still pay the tax will reduce significantly.

Let's look at an ACT business with a wages bill of \$1.45 million. Under Labor, that business was paying \$63,000 a year in payroll tax. Since the election of the Carnell government, that tax bill has been cut by \$18,475 per year, and from 1 July 2002 that business will pay no payroll tax whatsoever. That equates roughly to the jobs of two young people employed in that business. This payroll tax regime will now be the most attractive in Australia for small and medium sized businesses, and will be a major feature in supporting not just new businesses but sustainable growth from business already in the territory.

Part of building a clever, caring city is to diversify our employment base and provide real job opportunities, not just for our young people but also for those seeking to change their career directions. While payroll tax raises over \$130 million a year, it is a tax on employment. This future strategy for payroll tax ensures that that impost is reduced and that the government takes another small step in getting out of businesses' pockets. The gain this creates for business allows them to invest in our city's social capital—jobs, sponsorship, our sporting teams and other forms of community support which involve businesses more and more.

Employment, Business, Arts and Tourism

The good news for business and employment growth in this budget does not end with tax cuts. The government announced earlier this year our intention to support Impulse Airlines establishing its jet heavy engineering base, a call centre and other facilities in Canberra. As members of this Assembly know, that arrangement comes at a cost of \$8 million in funding and some further tax breaks. This budget delivers the \$8 million payment to Impulse.

This new business coming to Canberra will create up to 400 new jobs in our community. It represents one of the most exciting new business ventures to come to Canberra, and, on top of the massive benefits the establishment brings to Canberra, the growth in tourist numbers will provide new and significant opportunities for local and regional businesses.

Over 1,000 jobs have been created through the highly successful business incentive scheme since its inception in 1996. As announced in the draft budget, this budget provides \$675,000 to fund business incentive scheme applications to Telstra, Ansett and Raytheon systems in ventures that will create 700 new jobs.

We are providing \$464,000 to allow for the completion of site works for the BRL Hardy wine tourism complex, representing the completion of the ACT government's commitment to this exciting new venture to promote the region's wine industry, and \$510,000 is being allocated to create a further 330 apprenticeship places in the user choice program, providing real entry-level employment opportunities for young Canberrans.

More than \$1 million has been allocated to market Canberra interstate and overseas as a business, investment and tourism destination. Campaigns will target Asia and Africa, as well as traditional markets like the United States.

Canberra's major festivals and tourism activities will also be highlighted in an effort to increase their value to local operators and the community. The magnificent Australian Science Festival, which contributes almost \$5 million to our local economy each year, will receive funding in this budget for the 2001 festival, and beyond.

Other festivals will also continue to enjoy tangible support from the government: \$200,000 will be provided to enable Floriade's fees to be reduced in line with the decision taken by the Canberra Tourism and Events Corporation; \$250,000 extra will be provided in 2000-01 for the National Multicultural Festival; and \$150,000 will be made available each year to support new and emerging young artists. I am also pleased to announce \$100,000 over the next two years to support Volunteering ACT, for several initiatives during the International Year of Volunteering, which recognises the significance of volunteer work to our community.

Health

No government has done more to improve the health system in Canberra than this one. A strategy is in place—something that Labor could never deliver. This budget continues the provision of high-quality health care services for the people of Canberra. In the next four years, \$62.8 million is being made available for growth in needs. This is the largest injection of funding into our health care system ever, and it will enable the provision of additional services to ensure growth in demand can be met.

Some of this funding has already been committed. The government is particularly pleased to direct \$100,000 of the growth funds to improve the access to health services for indigenous people. An additional 100 places will be funded in the methadone program, at a cost of \$125,000 next year. We are allocating \$80,000 to provide financial assistance to pensioners who need portable oxygen equipment. Individuals, previously housebound, will be given a chance to get out into the community again through this important service, and \$200,000 will fund long-term accommodation support options for disabled people who also have mental health needs.

Today's budget features other initiatives in health which reflect this government's attention to innovations in health technology. We are providing \$414,000 to fund the provision of genetics services to help individuals and families come to terms with and manage genetic conditions, and to help those affected to make informed decisions about their own health, lifestyle and reproductive options. The major goal of genetics services is to reduce the impact of genetic disorders and birth defects on affected individuals, at risk individuals and their family. In addition, understanding the risks of inherited conditions later in life is particularly important for those in high-risk groups. A sum of \$190,000 will allow the Blood Transfusion Service to implement nucleic acid testing of blood products to guard against the spread of blood-borne disease.

23 May 2000

Health care in the home is also being strongly supported in this budget. Smaller initiatives which really matter to clients are being funded, such as \$22,000 to fund the first breast prosthesis for public and partially insured patients following a mastectomy, meaning up to \$420 for a woman undergoing a bilateral mastectomy. Currently these patients receive no support unless they are pensioners, to whom support is limited to \$130.

This budget also continues the government's commitment to disability services. I know that the commitment of Mr Moore, and the former health minister, Mrs Carnell, to this area of the budget is very strong.

In recognition of the demands on older Canberrans who play the role of carers for people with disabilities, \$845,000 is provided in 2000-01, rising to almost \$6 million over four years, to fund respite services for these people. The primary help group here will be people aged over 65 who have cared for their children for 30 years or more. That there are so many of those in this community, Mr Speaker, is another sign of that social capital about which I spoke before.

We will provide \$250,000 for clinical and community services for young people, particularly those with autism and cerebral palsy. That money will also be used to fund therapy services for children in special schools. These areas are particularly demanding on carers. Strategies to promote self-management and independence will be developed, but the provision of services in this area will aim to decrease the necessity for crisis intervention.

Education and Sport

Like health, education is one of this government's top priorities, and a program of new initiatives centred on education and family services is another key feature of this budget. For the sixth consecutive year the government fulfils its commitments to the maintenance of real terms funding for schools.

The government was delighted to conclude an enterprise bargaining agreement with the ACT's public school teachers two weeks ago which will lead to significant changes to the way the profession develops and works in the ACT. The EBA will guarantee a continually improving standard of teaching quality in the territory, with staff to be subject to annual performance appraisals and given much greater access to professional development than ever before. That is because we care about a quality education system, and quality teachers are an integral part of a quality system.

The budget forecasts lower teacher numbers during the next financial year, but that is entirely linked to lower projected enrolments. This reduction of 10 teachers across the system will be met through natural attrition.

Funding will be made available for major improvements at schools around Canberra:

- \$1.6 million for a two-year project to upgrade technology teaching facilities at Wanniasa High School and Hawker College.
-

-
- \$1.1 million for improvements to science teaching and learning facilities at Canberra College (Woden) and Belconnen High School.
- \$2 million over two years to fund important improvements at Forrest and North Ainslie primary schools.

Mr Speaker, I am also pleased to announce a funding boost of \$1.1 million for non-government schools in Canberra, on top of the \$2.2 million announced in the federal budget. This increase takes the funding of non-government schools in 2000-2001 to a record \$86.5 million.

The government's support for young people and their development does not end when they walk out the school door. A number of new initiatives, particularly supporting children at risk, will be developed during this budget period.

To complement the autism carer's program I announced earlier, \$50,000 will extend services for primary-school age children with autism to facilitate their integration into school communities. We will make \$200,000 available each year to enable the Department of Education and Community Services to meet the rising costs of providing the special needs transportation service so that there is no additional call on parents and carers to continue that service. The community services grants program will be boosted by \$200,000 per year to allow for the provision of greater levels of support.

The Lanyon Youth Centre is scheduled for completion early in 2001, and \$332,000 over four years will be made available to operate it through the youth services grants scheme. It will particularly target outreach, support and social services for young people in the Lanyon Valley area. On top of these initiatives, the portfolio will also manage a number of initiatives in the *Canberra: Building Social Capital* program.

Mr Speaker, the budget also includes some important initiatives designed to strengthen Canberra's national and international reputation as Australia's sporting capital. Perhaps most exciting is the inclusion of a \$1.7 million capital grant to Tennis ACT for the construction of a new 20-court international-standard clay court and rebound ace tennis facility at the National Sports Club, Lyneham. As a direct result, Tennis ACT has announced that Canberra has been chosen to host three new international tennis tournaments, two of them on the proposed new clay court facilities, the other on a world-class rebound ace surface.

This budget also confirms our commitment to community and local sports, with \$2.8 million to construct a new playing field and pavilion at Amaroo, and a further \$900,000 for a sportsground improvement program for the territory.

Urban Services

Mr Speaker, urban services are also well treated in the budget. The people of Gungahlin will be pleased with the news that the federal government is to bring forward the \$12.3 million duplication of the Barton Highway between Bellenden Street and the

23 May 2000

Federal Highway. They will also be happy for another reason. This decision has enabled the ACT government to develop the largest road management plan which caters for the emerging transport needs of Gungahlin residents.

My colleague the Minister for Urban Services is today announcing a five-year \$130 million program of improvements and extensions of transport links in Canberra to address traffic congestion and improve road safety. Many of those works will centre on access into and out of Gungahlin.

Design work will be funded in this budget for the duplication of Gungahlin Drive between Wells Station Road and the Barton Highway, the extension of Flemington Road and the extension of Gungahlin Drive. Construction of the Gungahlin Drive duplication and Flemington Road projects is expected in 2001. Subject to the outcome of planning considerations, construction will begin on the extension of Gungahlin Drive in 2001-2002. This project will take three years and will cost \$32 million, and the road will be complete by 2004-2005. That is very good news for residents of Gungahlin, Mr Speaker.

Residents of Tuggeranong who battle peak-hour traffic on the two-lane section of Drakeford Drive between Taverner Street and Erindale Drive will be pleased to know that design work will begin on the duplication of this section of road, with construction to be completed during 2001. The second section of Drakeford Drive will be duplicated after that.

As part of the plan being announced by the Minister for Urban Services today, design and construction of other major projects will also be undertaken, including:

- Horse Park Drive, from Gundaroo Drive to the Federal Highway, at a cost of \$7 million; and
- Morshead Drive and Pialligo Avenue duplication between Russell Drive and Canberra International Airport, costing \$4 million and meaning dual carriageway from the city to the airport.

Mr Speaker, this plan represents the most concerted effort to plan for Canberra's future traffic needs since self-government. It also responds effectively to the very valid concerns expressed by the federal government that Canberra must plan its future road requirements. Of course, I expect Labor to oppose some of those works, but contrast this plan with what they did in government—no planning, no strategy and no decisions.

The government's commitment to transport does not end with building roads. The government will provide an additional \$8.2 million in this budget for ACTION buses to meet revenue shortfalls and increased operating costs associated with a new bus network. This funding boost also recognises operational problems caused by high fuel prices.

Increases in government funding for public transport will not stop the government directing ACTION to increase its performance while reducing its costs, nor release any pressure on management and the union from achieving productivity savings; but this funding decision confirms the importance to the government and the community of an effective and efficient public transport system.

I am also pleased to announce \$460,000 in 2000-2001 to improve the ACT's cycleway infrastructure. The money will fund projects in the Tuggeranong Town Centre, Lyneham, Belconnen Way, Ginninderra Drive, the Monaro Highway and Gordon. In total, the government proposes to spend \$5.3 million on cycleways over the next four years.

One of the key features of this budget is a heavy investment in the appearance of our city. We will set aside \$4.5 million for the "Our City" program to revitalise the Civic area, including \$1.5 million on the new Northbourne Plaza, another \$1.5m for pedestrian improvements in City Walk, and \$700,000 to improve pedestrian lighting in City Walk. The allocation of \$500,000 will fund the upgrade of the Woden Town Centre, and another \$255,000 will fund precinct works at group centres in Kambah, Jamison and Mawson, and in the Griffith area. A sum of \$500,000 will fund minor works at local and group centres around Canberra, including lighting improvements at Watson and Kippax.

Mr Speaker, as I announced in the draft budget, the government is also funding two programs aimed at improving the general appearance of our city in this budget. The Streetsmart program will allow for extra streetsweeping, litter collection, grass mowing, weed spraying and tree pruning, as well as the more frequent replacement of street and traffic signs. We are providing \$750,000 to extend that program. On top of that, \$250,000 will fund a new Lakesmart program, which will aim to improve the quality and appearance of our lakes and surrounding parklands.

All in all, the government is spending nearly \$7 million more this year on the appearance of our city and works to modernise areas which are becoming tired.

As members know, I was proud to attend the 1997 Local Government Leaders Summit on Environmental Change in Kyoto, Japan. At that meeting, the Carnell government became the first Australian government to commit to greenhouse gas emission reduction targets. This budget provides \$160,000 to implement gas emission reduction targets set down in the ACT greenhouse strategy. In addition, ACT Housing will spend \$1 million on upgrading the energy performance of public housing to increase energy efficiency, which translates into the reduction of greenhouse gas emissions.

My colleague the Minister for Urban Services is also today announcing that ACT Housing will spend \$60 million over the next 10 years upgrading its major flat complexes. The program will start immediately, with preventative maintenance for safety and security reasons at Bega Court, Reid, Allawah Court, Braddon and Jerrilderie Court, Reid. The first two complexes to receive major upgrades over the next 18 months will be Gowrie Court, Narrabundah, and Stuart Flats, Griffith. Work on the other complexes will be staggered over the following 8½ years. This is the biggest refurbishment program in the history of ACT public housing. Over the next decade massive improvements will be made to most of the 25 complexes of flats that we own.

Information Technology and Knowledge

Mr Speaker, this government has a vision of turning Canberra into a clever, caring city, and that is being realised. This budget again takes more steps in that direction by addressing issues of information technology and knowledge. In the draft budget the

23 May 2000

government announced a proposal to establish a research and development grants scheme to encourage and support small and medium sized businesses in research and the development of new technology which has commercial application.

The support for this proposal from the business sector has been magnificent, and I am pleased to announce today that not only is the proposal going ahead but the funding is to double in its first year. The grants scheme will now receive \$11 million over the next three years, up from the \$9 million proposed. The sum of \$18 million is being allocated for electronic service delivery, improving access by Canberrans to government services on-line. In coming months the government will make announcements about projects which will be funded from this injection.

I can indicate now that every Canberran will see a dramatic improvement in government service delivery as a result of this funding. Moving government accounts on-line for payment and billing, enhancing access to technology in the health and education sector, and providing improved access to government information across agencies will be the key focus of expenditure on this exciting program.

Mr Speaker, I also want to foreshadow that one of the areas to which the government will be applying funding from this program will be integrated health care. The storage and transmission of secure health care data between providers about their patients will make a substantial contribution to improving the provision of services to those patients and will allow a more integrated approach to delivery of services to people who access more than one provider.

When TransACT rolls out its cable system across the ACT, beginning next year, the ACT will become the hi-tech city of the world. The government wants to ensure that as many Canberrans benefit as possible from accessing that technology, both in a business and a community sense.

To achieve that, \$130,000 will be provided to fund two new programs aimed at improving access to the Internet for the ACT community. The first program will provide a site which links all ACT community information, enabling access directly to individual groups' websites and resources. But that is not much good for groups not on the Internet, so the second part of the program provides assistance to peak community groups to get onto the net—to establish a presence there so they can share in the benefits of the new knowledge-based economy.

Mr Speaker, for those of us, like you and I, who acquire much of our knowledge in different ways to computers, I am pleased to announce an extension of the ACT Library Service. We are providing \$150,000 in 2000-01, rising to \$220,000 in 2001-02, to open the new Gungahlin Library early next year.

Superannuation

Mr Speaker, superannuation is a very important subject. When I became Treasurer I said that the most significant long-term challenge confronting this community is the unfunded superannuation liability which, unchecked, has the potential to ruin any benefits of

responsible financial management. No government has done more to address the ACT's unfunded superannuation liability than this one. Years of neglect by Labor, just like their counterparts in other states, left the ACT with an emerging financial catastrophe.

In a significant difference to the draft budget, Mr Speaker, the government has formulated an eight-year plan to fully fund our superannuation liabilities. Up until now, governments have only really been interested in funding the accruing liability, not the liability that already exists.

As members know, the government repatriated \$300 million from ACTEW earlier this year—match that if you can—which was put into our superannuation account. Any equalisation payment as a result of the proposed ACTEW/AGL joint venture partnership will also fund that liability.

The government is beginning payments, in this budget with \$5 million, totalling \$120 million across the forward years, as the first stages of this plan. Under this plan, within eight years, the ACT will self-fund its superannuation liabilities. That will be 16 years ahead of forecast, and will save this community hundreds of millions of dollars over that extended period. Mr Speaker, when our superannuation liability hits \$2.3 billion in 2017, the ability for the government of the day to continue to provide essential community services will be the result of decisions taken in this budget.

On 29 February this year I announced the establishment of the Finance and Investment Advisory Board which will allow the ACT to take account of the expertise available from outside the government in the management of this building asset base. The plan I am announcing today will see 63 per cent of the ACT's superannuation liability funded by 2004, up from 29 per cent in 1999.

Conclusion

Mr Speaker, as we can see from the long faces opposite, this government has spent the last five years bringing the ACT's budget under control, and it consummates that process with this budget. Containing our expenditure, meeting the cost of essential community services, and keeping our revenue effort at approximately the levels of New South Wales have been difficult challenges. Every spending reduction, every extra dollar raised in new revenue, came at some political cost to this government. But today we see the result of five years of hard work. That result translates into a dividend to be returned to the ACT community.

It is a dividend which comes in several forms:

- A secure financial future, with a budget in surplus;
- Effective, efficient and expanding community services;
-
- Reductions in taxation; and
- A real plan to manage our long-term superannuation liabilities.

23 May 2000

Contrast those things with what we had under Labor:

- A \$344 million operating loss, according to the ACT Auditor-General;
- A crisis in our health and education systems;
- Ineffective budget strategies; and
- An ideological approach to the provision of services, no matter how inefficient they were.

Mr Speaker, the 2000-2001 ACT budget is one which builds and cultivates our social capital. Indeed, it invests heavily in our social capital, because this government believes that a strong sense of social capital underpins and enriches our community and all the members of it. Only through responsible financial management can we return a dividend to the Canberra community like the one we deliver today. Only through responsible financial management can we set about improving the quality of life for everyone in this city. Mr Speaker, that is what this budget does, and for that reason I commend the budget for 2000-2001 to the Assembly.

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

APPROPRIATION BILL 1999-2000 (NO 3)

MR HUMPHRIES (Treasurer, Attorney-General and Minister for Justice and Community Safety) (3.54): Mr Speaker, I present the Appropriation Bill 1999-2000 (No 3), together with its explanatory memorandum.

Title read by Clerk.

MR HUMPHRIES: Mr Speaker, I move:

That this bill be agreed to in principle.

This bill provides for appropriations in 1999-2000 totalling \$7.724 million to the Department of Urban Services and \$4.896 million to the Department of Justice and Community Safety. The appropriation to the Department of Urban Services provides \$4.426 million as a government payment for the net cost of outputs and \$3.298 million capital injection. These amounts will be on-passed to ACTION as an additional payment for services purchased and to cover the increased cost of services in 1999-2000.

This will be used to address significant pressures faced by ACTION in both its costs and revenues. These pressures include the price increases in fuel, which are a significant and unavoidable cost for ACTION; the cost for legal settlements arising from accidents prior to 1998; increases in workers compensation insurance costs and employee expenses; delays in achieving projected savings from last year's enterprise bargaining agreement and revisions in services; and lower than expected fare revenue as a result of the trend towards the purchase of discounted and periodical tickets.

The appropriation to the Department of Justice and Community Safety provides \$4.896 million for the payment of expenses on behalf of the territory to provide for the payment of claims under the criminal injuries compensation scheme. This is required as a consequence of the delay in passing amendments to the Criminal Injuries Compensation Act 1983 to introduce support services for victims rather than lump sum payments for pain and suffering.

Since the amendments were passed on 23 December 1999 there has been the expected decrease in the number of claims and payments for criminal injuries compensation. This trend is expected to continue, and the budget forecast for 2000-2001 reflects this trend. However, prior to the passage of the amendments, there continued to be a high level of claims and payments during the first half of the year. This has resulted in an additional funding requirement of \$4.896 million, which will increase the overall expenditure estimate to \$8.415 million for 1999-2000.

Mr Speaker, the government recognises the significant financial impact of these issues. Both individual items represent a significant call on the 1999-2000 budget. I believe that both the size and significance of these issues warrant Assembly scrutiny and accountability.

The Assembly has previously voiced its preference that such issues be the subject of a supplementary appropriation. Accordingly, this government has introduced a supplementary Appropriation Bill to ensure full accountability and transparency to the Assembly and the ACT community.

I also table a supplementary budget paper, as required under section 13 of the Financial Management Act 1996, which provides details of the variations proposed for the two affected departments—that is, the Department of Urban Services and the Department of Justice and Community Safety. The supplementary paper also includes a full set of revised financial statements for each of the three agencies affected, including ACTION.

Members will notice that the supplementary budget papers provide two sets of financial statements for each affected agency. These present both the variation or adjustment to the financial position, plus the revised financial statements.

The FMA requires that the supplementary budget papers show the variation from the 1999-2000 published budget. These statements therefore do not take into account issues incorporated in either the draft 2000-01 budget or the final 2000-01 budget tabled today, unless they relate to the issues specifically addressed by this supplementary appropriation.

Mr Speaker, I commend this bill to the Assembly.

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

23 May 2000

**GOODS AND SERVICES TAX (TEMPORARY TRANSITIONAL PROVISIONS) BILL
2000**

MR HUMPHRIES (Treasurer, Attorney-General and Minister for Justice and Community Safety) (3.58): Mr Speaker, I seek leave to present the Goods and Services Tax (Temporary Transitional Provisions) Bill 2000, together with its explanatory memorandum.

Leave granted.

MR HUMPHRIES: I present the Goods and Services Tax (Temporary Transitional Provisions) Bill and the explanatory memorandum.

Title read by Clerk.

MR HUMPHRIES: I move:

That this bill be agreed to in principle.

I am presenting two bills together today, the Goods and Services Tax (Temporary Transitional Provisions) Bill 2000 and the Financial Management Amendment Bill 2000 (No 2). I am presenting these bills together as the majority of the provisions relate to the introduction of the goods and services tax from 1 July 2000. I therefore consider it logical for the Assembly to consider these bills together. I have already foreshadowed the government's intention to introduce these bills in a letter to members of the opposition and the crossbenches. This letter outlined the intention of the bills.

The Goods and Services Tax (Temporary Transitional Provisions) Bill 2000 contains two substantive provisions. The first provides for transitional provisions covering possible unforeseen circumstances associated with the introduction of the GST. This is required as the Assembly does not sit from 29 June to 29 August this year, resulting in two months where it will not be possible to introduce legislation to deal with unexpected implications of GST implementation.

While every effort has been made to anticipate all the legislative requirements of the GST implementation, it is possible that there may be unexpected consequences that it has not been possible to identify. This bill therefore provides the executive with the power to make regulations that prescribe matters necessary or convenient to be prescribed because of the commencement of the goods and services tax on 1 July this year. This power will include the ability to modify territory law.

Given the nature of this power, the bill also contains provisions that very strictly constrain the power so that it can only be used for purposes associated with the implementation of the GST. This includes the requirement that the government must consult with all available members of the Legislative Assembly before issuing such regulations. This will ensure that all members are consulted on any issues that may arise during the non-sitting period.

The bill also constrains the power to make legislative changes so that the executive may not amend key pieces of legislation such as the Financial Management Act or the Auditor-General's Act. Lastly, this provision will only operate from 1 July 2000 for a period not longer than four months or six sitting days. This timing will allow for the executive to make regulations until such time as the sitting pattern allows for the introduction and debate of any substantive legislation that might be required.

The second substantive provision of the Goods and Services Tax (Temporary Transitional Provisions) Bill 2000 will enable the net effect of any GST related increases in prices to be passed on. This will give effect to the underlying rationale of the GST legislation. This provision will allow prices set by legislation to increase for the impact of GST without the need for legislative amendment.

This provision will not apply to the determination of fees or charges under legislation. Nor will it permit prices set under a contract to change except in accordance with the contract. This provision is required to overcome difficulties that have emerged in other jurisdictions and the ACT caused by legislation that imposes or sets a ceiling on prices.

The second bill I am introducing today, the Financial Management Amendment Bill, provides for amendments to the Financial Management Act 1996. The major amendments in this bill again relate to the implementation of the GST.

With the introduction of the GST, agencies will have to pay tax on the purchase of goods and services. In almost all cases departments will be able to claim this tax back as GST input tax credits from the Australian Taxation Office. At the moment the FMA does not enable agencies to spend GST input tax credits received from the ATO as reimbursement of GST paid on the purchase of goods and services. It is therefore necessary to extend the concept of net appropriations to give effect to the underlying rationale of the GST legislation.

This bill therefore expands the concept of net appropriations for outputs to allow departments to apply the value of input tax credits to pay the expenses and liabilities incurred in providing outputs. The wording used to describe net appropriations for outputs has also been amended to clarify its operation, and the operation of zero appropriations is clarified.

The bill also allows for a limited net appropriation to apply to capital injection appropriations. This will allow agencies to apply the value of input tax credits to pay the expenses and liabilities incurred in purchasing or developing assets.

Secondly, as part of the implementation of the GST, agencies will be responsible for collecting GST on some of their revenue items and for paying these amounts to the ATO. In this respect, the territory could be described as a GST collection agent on behalf of the ATO. The territory will have no discretion over the amount or payment of these amounts. The bill therefore inserts a provision into the FMA to enable the territory to pay the ATO GST revenue collected whether or not there is an appropriation.

23 May 2000

In addition to the amendments relating to the implication of the GST, there are a further two amendments to the FMA. The first simply extends the sunset provision on section 17A to 30 June 2001, which allows for the variation of appropriations to make certain payments to the Commonwealth for the provision of services.

The second amendment deals with the power to make financial management guidelines. This amendment will allow the Treasurer to issue guidelines prescribing matters required or permitted by the act, or necessary or convenient for administering the FMA. This amendment will also make such guidelines disallowable instruments, thus providing a greater level of Assembly scrutiny and accountability.

I commend these bills to the Assembly.

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

FINANCIAL MANAGEMENT AMENDMENT BILL 2000 (NO 2)

MR HUMPHRIES (Treasurer, Attorney-General and Minister for Justice and Community Safety) (4.05): Mr Speaker, I ask for leave to present the Financial Management Amendment Bill 2000 (No 2), together with its explanatory memorandum.

Leave granted.

MR HUMPHRIES: I present the Financial Management Amendment Bill 2000 (No 2), together with its explanatory memorandum.

Title read by Clerk.

MR HUMPHRIES: I move:

That this bill be agreed to in principle.

Mr Speaker, I have already addressed my remarks to this bill in the remarks on the previous bill.

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

PRIVILEGE Statement by Speaker

MR SPEAKER: Members, on 9 May Mr Corbell gave written notice of a possible breach of privilege in relation to evidence provided to the Standing Committee on Planning and Urban Services on its inquiry on the matter of Gungahlin Drive. The substance of the matter raised by Mr Corbell was that the Minister for Urban Services and his staff had attempted to improperly influence a witness in respect of evidence to be given to the Standing Committee on Planning and Urban Services.

Under the provisions of standing order 71, I must determine as soon as practicable whether or not the matter merits precedence over other business. If, in my opinion, the matter does merit precedence, I must inform the Assembly of the decision and the member who raised the matter may move a motion without notice forthwith to refer the matter to a select committee appointed by the Assembly for that purpose. If, in the opinion of the Speaker, the matter does not merit precedence, the Speaker must inform the member in writing accordingly, and may also inform the Assembly of the decision.

As Speaker, I am not required to judge whether there has been a breach of privilege or a contempt of the Assembly has occurred. That, ultimately, is for the Assembly to decide. I can only judge whether the matter merits precedence and my conclusion does not imply that a breach of privilege or contempt has or has not occurred.

Although influencing a witness by improper means or tampering with a witness could be found to be a contempt of the Assembly, having considered the matter raised by Mr Corbell and documentation provided, I have concluded that in this instance the matter does not merit precedence over other business.

This, of course, does not preclude Mr Corbell from giving notice of and moving a motion in the Assembly in respect of the matter. Nor does it preclude the Standing Committee on Planning and Urban Services from considering the matter and reporting to the Assembly in due course should it see fit.

PRESENTATION OF PAPERS

The following papers were presented by **Mr Speaker**:

Legislative Assembly (Broadcasting of Proceedings) Act, pursuant to section 8—
Authority to broadcast proceedings concerning the:

Public hearings of the Select Committee on Government Contracting and Procurement Processes on Thursday, 18 May and Monday, 22 May 2000, dated 10 and 12 May 2000;

Public hearing of the Standing Committee on Education, Community Services and Recreation on Thursday, 18 May 2000 in relation to its inquiry into adolescents and young adults at risk of not achieving satisfactory education and training outcomes, dated 17 May 2000;

Public hearing of the Standing Committee on Planning and Urban Services on 19 May 2000 in relation to its inquiry into the Gungahlin Drive Extension, dated 19 May 2000.

Purchase agreement between the Speaker and the Clerk of the Legislative Assembly for the Australian Capital Territory—2000-01, dated 23 May 2000.

Stadiums Authority Act 2000—The Ultimate Rock Symphony, pursuant to the order of the Assembly of 10 May 2000, as amended on 11 May 2000—Letter from Kate Carnell MLA, Chief Minister to the Speaker, dated 16 May 2000, forwarding the requested documents:

Budget for the Event (Attachment A)—The budget for the event showing expected revenue, expenses and profits.

Reconciliation statement (Attachment B)—Interim reconciliation statements of revenue and expenses, together with a letter from the Director, International Touring Company Pty Ltd to the Chairman, Bruce Stadium, dated 8 May 2000.

23 May 2000

PRIVILEGE—SPEAKER’S STATEMENT
Statement by Member

MR CORBELL: Mr Speaker, I seek leave to make some comments in relation to the statement you have just made.

Leave granted.

MR CORBELL: I thank members. Mr Speaker, thank you for your ruling on this matter. I must say that I am somewhat disappointed, with all the greatest possible respect to you as Speaker, that you have chosen not to give this matter precedence. Nor, Mr Speaker, have you chosen to give reasons for your decision, and that is most disappointing.

I understand, Mr Speaker, that you are not required to give reasons, but *House of Representatives Practice* does refer to the fact that the Speaker may give reasons as to why a prima facie case for an investigation into a breach of privilege does not exist. You have not done so, Mr Speaker, and that raises some questions in my mind that I believe need to be pursued further.

The comments and the ruling you have made today only highlight the importance of addressing this matter, and I give notice to other members now, if members are not already aware, that I intend to move a motion this Thursday, in Assembly business, to establish a select committee of privileges to investigate this alleged breach of privilege. The reason for that is that what we have seen occur before the Planning and Urban Services Committee of this Assembly is, I believe, one of the most serious underminings of the effectiveness of our committee system. We have—

Mr Humphries: I take a point of order, Mr Speaker.

MR CORBELL: There is no point of order, Gary.

Mr Humphries: You have not heard what my point of order is yet.

MR CORBELL: I have leave.

MR SPEAKER: Just a moment I will handle this.

Mr Humphries: That is fine. I am rising on a point or order, if you don’t mind. Mr Corbell is making some allegations in respect of—

MR CORBELL: I have made no allegations.

Mr Wood: Which standing order?

MR CORBELL: Under which standing order?

Mr Moore: Imputations.

Mr Humphries: Imputations.

MR SPEAKER: Just a moment. I wish to hear the point of order.

Mr Humphries: Mr Corbell has indicated that on Thursday he proposes to move—if you don't mind, Wayne.

Mr Berry: I am just raising a point of order. Mr Corbell was given unconditional leave.

MR SPEAKER: Sit down, please. I am listening to a point of order.

Mr Humphries: You don't have leave to breach standing orders. Standing orders still apply and the standing orders say you cannot make imputations about other members.

MR CORBELL: What standing order have I breached? What imputation have I made?

Mr Humphries: The standing order that says you cannot make imputations about other members. Standing order 55.

MR CORBELL: What imputation have I made?

MR SPEAKER: Order, please! May I have your point of order, minister?

Mr Humphries: The imputation, Mr Speaker, is that Mr Smyth has committed something which could constitute a contempt of the Assembly.

Mr Stanhope: He did not do that at all.

MR CORBELL: I did not do that.

Mr Humphries: He just said it is a very serious matter which happened—he did not say it could have happened or was alleged to have happened—in the urban services committee hearings.

MR CORBELL: No, I said “alleged”. This is not a point of order, Mr Speaker. The minister is misrepresenting entirely what I say. This is a frivolous point of order and you should sit him down.

Mr Humphries: I have not finished the point of order yet. If I could finish the point of order, Mr Speaker: the generally accepted precedent in this place is that if allegations are going to be made about a particular member that has to be done by way of a substantive motion. Mr Corbell has foreshadowed a substantive motion on this coming Thursday, in effect, in which such allegations can, it seems to me quite fairly, be raised. I accept that he is going to move that motion on Thursday, but making the allegations in the meantime, airing them in the meantime, is in breach of standing order 55. It should not be permitted.

23 May 2000

MR SPEAKER: Just a moment, please. The point of order is allowed, even though leave has been given for Mr Corbell to speak. That does not mean that the rest of the standing orders are somehow put aside because you have leave to speak. Mr Corbell, I accept that you will give notice of a motion for Thursday, and again that is fine. But you must not pre-empt debate on that matter, and I would ask you to be careful about it. I am not 100 per cent sure whether or not you were making allegations, or suggesting things were going on, but I would caution you.

MR CORBELL: Well, thank you, Mr Speaker. I do not think anyone else is unsure, except Mr Humphries, for his own frivolous reasons. Mr Speaker, the point I am making is that what you have ruled on today is a very serious matter. I raised with you an alleged breach of privilege.

Mr Humphries: Alleged. That's right.

MR CORBELL: That is what I said before, Mr Humphries. Obviously your selective hearing cut in again. Mr Speaker, the point I am raising here is that the reason why I have indicated that I will move this motion on Thursday is that evidence given to Assembly committees must be evidence which in no way is formed or corrupted by threat, intimidation or force. What we have seen in the Planning and Urban Services Committee, I believe, casts that into some considerable doubt, and the actions of the Minister for Urban Services, as outlined by the witness before that committee, bring the integrity of that evidence into considerable doubt. We can have no confidence in the evidence given to that committee being wholly truthful, open and honest if the claims made by the witness before that committee are correct

I am surprised, Mr Speaker, that you have not given this matter precedence, considering the seriousness of it. I invite you to give reasons as to why you have not given it precedence, and I inform members that I intend to move that motion to establish a select committee on privileges because of the seriousness of it, regardless of the fact that you have not chosen to give it precedence.

MR SPEAKER: Thank you, Mr Corbell. There are two matters. I shall consider your request about giving reasons. The second point is that this matter will be resolved on Thursday when your motion is debated.

MR SMYTH (Minister for Urban Services): Mr Speaker, under standing order 46, I would like to make a personal explanation.

Mr Berry: Providing you do not debate the issue.

MR SPEAKER: Yes.

MR SMYTH: Mr Speaker, what Mr Corbell alleges is not true

Mr Corbell: I did not allege it. That is the point.

MR SMYTH: I have clarified to this place that I have done nothing wrong. The Gungahlin Community Council have clarified what they stated. I will be happy to defend the charges on Thursday.

**PURCHASE AGREEMENT
Paper**

The following paper was presented by **Ms Carnell**:

2000-2001 purchase agreement between the Chief Minister and the Chief Executive of the Chief Minister's Department.

**FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE
Report on Draft 2000-01 Budget—Government Response**

MS CARNELL (Chief Minister) (4.16): I present the following paper:

Finance and Public Administration—Standing Committee (incorporating the Public Accounts Committee)—Finance Committee Report No. 5—Report on Draft 2000-01 Budget for the Chief Minister's Department; Draft 2000-01 Budget for the Department of Treasury and Infrastructure; Draft 2000-01 Total Territory Financial Position (*presented 28 March 2000*)—Government response, dated May 2000.

I move:

That the Assembly takes note of the paper.

On 9 December 1999 this Assembly resolved that portfolio committees would examine the draft 2000-01 budget for each appropriation unit. This has offered the Assembly unprecedented opportunity to have input into the development of the budget. In response, some committees have taken this opportunity, others have not. It has been this government's view that broadening community participation in government can only be a good thing. As part of this view, the government responded positively to the recommendation by the Select Committee on Governance report on the Pettit review to the draft budget proposal. Democratic government can only be strengthened by greater community participation.

The resolution of the Assembly on 9 December 1999 specifically referred to the need for committees to make recommendations that "maintain or improve the operating result". Of the 11 recommendations in the report of the Standing Committee on Finance and Public Administration, there are no recommendations that improve the operating result, 10 that do not directly change it, although some of them imply expenditure, and one that would adversely change it. The government has agreed, at least in part, to nine of the 12 recommendations.

Of those not agreed, some are based on misunderstandings of financial principles, such as the recommendation suggesting that the operating result should be shown net of superannuation interest earnings and retrospective adjustments to the gross provision.

23 May 2000

This is despite the fact that, as the committee understands by now, the Auditor-General considers the accounting treatments fall within existing or proposed accounting standards and concepts.

The committee also recommends that the government develop a system to measure the effects of the payroll tax initiative on jobs in the territory. While we agree with the intent of this recommendation, it is very difficult to separate out any single influence on employment, such as payroll tax, from the broad range of influences on employment, such as wages, market development, interest rates, general economic outlook and business confidence.

There is a further recommendation that the government, wherever possible, avoid the use of cash grants in business incentive packages. The use of cash grants is not mentioned in the report other than in this recommendation, so it is a bit hard to know where the committee is coming from. This is essentially what the government is doing now. Although cash grants certainly are not our favoured approach to industry support packages, sometimes they are important in attracting jobs. The Impulse Airlines deal is a very good example of that.

It is important to remember that information technology is increasingly allowing business to satisfy many elements of IT related service contracts from remote locations. This is particularly important for those businesses contributing to Canberra's status as the clever capital. It is unrealistic to expect that an information-based economy will simply happen without the government working to both get the overall employment environment right as well as attracting key flagship employers.

The ACTBIS agreement to support EDS, for example, has created over 400 direct and indirect jobs. Apart from these employment opportunities themselves, the effect that these jobs will have on the ACT's skill base is important in attracting further smaller employers.

Nor does the government agree to refer the trial green-waste bin services to the Independent Competition and Regulatory Commission to ensure that there are no major competition policy issues. After consultation with the industry and some clarification of the government's intention, I understand that the trash pack industry is now supporting the government's approach.

The government supports, at least in principle or in part, most of the committees other recommendations. The 2000-01 draft budget process has been extremely interesting, if not only because we have learnt how members will accept the opportunity to get involved in the budget process, if they are invited.

The 2000-01 budget is a milestone for a number of reasons. For a start, we have turned around the budget, from a significant operating loss of in excess of \$344 million in 1995 to a balanced budget today. We have also attempted to bring the community and the Assembly closer in to the budget development process. Despite the work that the committees have put into meeting the Assembly's resolution, this government remains committed to greater community and Assembly participation in the budget development processes in the future.

MR QUINLAN (4.23): Mr Temporary Deputy Speaker, I did not even notice this response coming from the government but I am happy to reply. There are a couple of things that I would like to address, but not necessarily in the same order that the Chief Minister mentioned them. I am glad that she brought up this claim that this government has turned around the budget position from \$344 million to a balanced budget. That \$344 million bottom line includes a \$91 million abnormal superannuation adjustment.

Ms Carnell: So the Auditor-General got it wrong, did he?

MR QUINLAN: Thanks for the interjection. I have spoken to the Auditor-General in regard to these figures. It is to be remembered that these figures that created \$344 million were not in fact an annual report; they were a back-cast. They were purely reference figures in the budget of the following year. The Auditor-General will tell you. He will say, "Well, what do you think?" The Auditor-General has indicated to me that he rather thinks that some of those figures were rather rosy. If you happen to be a Carnell government that wished, quite obviously, from day one to thrive on propaganda and you are going to back-cast the previous year to give the reference point as your starting point, what do you do? You scrape the barrel. You dig up every last little provision, every write-off, every write-down you can cram into it to create the worst possible position and that, I assert, is what this government did.

We have debated this point in this house before but the government still persists in saying, "No, it was \$344 million. That was the position we took over." Well, that is not a true reflection of the case. To some extent I am glad to see the government keep using it because it does show that they continue to use this sort of misleading information in the public forum, despite the fact that they know it is misleading.

During the last financial year we have received a review of the superannuation liability. Guess what. It was overstated. It was overstated by something like \$240 million or \$250 million, about the figure that I recall challenging the government with during the ACTEW debate. During the ACTEW debate the misinformation trail told us that the superannuation liability was going to kill the territory.

Mr Stanhope: Do you remember when you were going to flog it?

MR TEMPORARY DEPUTY SPEAKER (Mr Hird): Order! The Leader of the Opposition will come to order. Mr Quinlan has the call.

MR QUINLAN: Thank you. This year, factored into this budget for the first time, is a swing the other way. There has been the surprising discovery that this disastrous superannuation liability is not quite as bad as it had been painted. This year we have decided that the best way to use that is to write it off over 12 years, using an American accounting standard. We will put it above the line and we will give our result a \$21 million bonus, an addition. In fact, if you did not have that treatment in there, if you had treated it the same way as you treated it in your back-casting of 1995-1996, you would have a deficit in this budget today.

Mr Stanhope: Different standards, is it?

23 May 2000

MR QUINLAN: Absolutely. You would have that deficit. So the comparison you are making between that back-casting year that was hardly audited at all and this year's budget is something in the order of \$110 million. It doesn't matter about the facts though, does it?

While we are on superannuation, I have asked for that report. I have asked for that report for six or nine months. The gain in superannuation, the reduction in our liability, has now been factored into the budgets, according to the process, for the next 12 years. However, can I get a copy of that report? No, we haven't got one. We have only had advice from the actuary that that is what we ought to be doing, but we haven't got a report. The government should come forward and table whatever documents it does have in relation to that.

I want to make a couple of other comments in response to what Mrs Carnell said about industry support. Somehow we have given a fillip to EDS and that brought 400 jobs to the ACT. It is a miracle. Not the fact that EDS happens to have a very large contract with the Taxation Office which happens to be in Canberra, and Canberra might be the logical place for EDS to set up the processes of developing that particular project and those products for the ATO with them; not the fact that the case put forward by EDS was largely managed within the ACT beforehand, but we have made all the difference. Well, that is nonsense.

The report that my committee brought down makes the valid point that we would like to see less business incentive going to multinational companies and more business incentives going to local companies. That is what we would like to see. That is the point of it.

Mr Humphries: You might risk some jobs doing that because some of the biggest jobs come from those multinational companies.

MR QUINLAN: We are looking for jobs for Canberrans. At a later stage we will be advising you that we would like to see the ACT economy assist local industry, not just the knowledge industry. I know that you people have borrowed from my previous policy speech on knowledge-based economy, as recently as a fortnight ago. Read your *Hansard*. I am quoted in it. Nevertheless, we still would like to see a bit of diversity in our industry because not everybody is going to grow up to be a computer programmer or a systems engineer. We would like some diversity. I will close, Mr Temporary Deputy Speaker, by thanking the Chief Minister for accepting most of the recommendations of our report.

MS CARNELL (Chief Minister) (4.32), in reply: It is important that I make a couple of comments about what Mr Quinlan just said. I am sure he really knows that the reason why the unfunded superannuation liability has come down is that we have 2,800 fewer staff. In fact, our wages bill is some \$170 million lower than it would have been if we had not reduced our staffing numbers. What happened was that every inch of the way those opposite opposed every single step we took to reduce our expenditure. Every single step we took to reduce expenditure, to keep a lid on expenditure and to raise more revenue was opposed by those opposite.

It is true that we do have 2,800 fewer staff now, and what does that produce? You do not need to be Einstein to work it out. It produces a lower superannuation liability. And guess what, Mr Temporary Deputy Speaker? What happened was that a larger number of those than even we expected were people with higher potential long-term entitlements. If that happens, guess what happens? Your unfunded liability comes down. It did not just happen. It was not just figures on a bit of paper. It was five years of hard work, reducing our expenditure, reducing our staff numbers, and bringing down our unfunded superannuation liability.

If those opposite are suggesting that somehow the unfunded liability at this stage is not a problem, I would ask them to turn to Budget Paper No 3, page 118. If we do nothing, which seems to be what Mr Quinlan suggests, if we do not put money into the unfunded superannuation problem, what will happen is that over time \$137 million, or in that vicinity—I think Mr Humphries used that figure in his speech—will be required for payouts. So, Mr Temporary Deputy Speaker, the problem is not solved. Certainly, the amount of unfunded liability has come down because we reduced staff, and because those staff tended to come from particular parts of our work force we achieved a greater reduction in our unfunded liability.

There was another interesting point that Mr Quinlan made in arguing about the \$344 million operating loss. That particular operating loss was accepted by the Auditor-General as being the real operating loss.

Mr Quinlan: Talk to him.

Mr Moore: He signed it.

Mr Quinlan: They were back-cast figures.

Mr Moore: All right—

MR TEMPORARY DEPUTY SPEAKER: Order! Mr Moore and the shadow Treasurer will come to order!

MS CARNELL: If the Auditor-General believed that that figure was wrong, why in heaven's name did he not raise that issue and qualify the accounts? That is what he would do. He did not. Why didn't he? Because he does not disagree with the figure. If those opposite are suggesting that the Auditor-General somehow got it wrong or signed off on a report that he did not really mean, I would ask them to make that allegation. I am sure the Auditor-General would not agree that he had made a mistake or signed off on a report that was somehow wrong. The fact is that the Auditor-General has accepted those figures.

If you remember, it was not that long ago that the Auditor-General brought down a report—I think it was probably last year's annual report—in which he suggested that if the ACT did not do something about our unfunded superannuation liability, if it did not do something about our expenditure or bring down our operating loss, the quality of life in the ACT would be affected in the future. They were not my words, they were the Auditor-General's words. So there is no view at all that the Auditor-General did not

23 May 2000

believe, or does not believe, that the operating loss of the ACT that this government inherited from those opposite is not pressing to the point that it would have affected the quality of life for our children if we had not addressed it. They were his words, not ours.

I would hate to think that those opposite were trying to suggest some sort of precedent where we should be ignoring the Auditor-General here. That would be a dreadful scenario. It was the Auditor-General who made the point that the operating loss was unsustainable, that our situation with unfunded superannuation liability was unsustainable and must be addressed, and that if it was not the quality of life in the ACT would be at risk. His words, not mine.

Question resolved in the affirmative.

PRESENTATION OF PAPERS

The following papers were presented by **Mr Humphries**:

Ownership Agreements

2000-2001 Ownership Agreements between the Treasurer and Chief Executives, Executive Directors and General Managers from the following agencies:

Chief Minister's Department, dated 19 May 2000.
Department of Treasury and Infrastructure, dated 19 May 2000.
Department of Justice and Community Safety, dated 19 May 2000.
Department of Urban Services, dated 17 and 19 May 2000.
Department of Education and Community Services, dated 16 and 19 May 2000.
Department of Health and Community Care, dated 15 and 19 May 2000.
Department of Urban Services and ACTION, dated 17 and 19 May 2000.
Department of Urban Services and ACT Housing, dated 12, 17 and 19 May 2000.
Department of Urban Services and ACT Forests, dated 17 and 19 May 2000.
Chief Minister's Department and InTACT, dated 18 and 19 May 2000.

Statements of intent

Financial Management Act, pursuant to section 58—2000-2001 Statements of Intent from the following authorities—

Agents Board of the Australian Capital Territory, dated 9 and 19 May 2000.
ACT Community Care, dated 12 and 19 May 2000.
ACT Gambling and Racing Commission, dated 19 May 2000.
Australian Capital Territory Insurance Corporation, dated 17 and 19 May 2000.
Australian International Hotel School, dated 19 May 2000.
Stadiums Authority, dated 16 and 19 May 2000.
Canberra Cemeteries, dated 17 and 19 May 2000.
Canberra Institute of Technology, dated 18 and 19 May 2000.
Canberra Tourism and Events Corporation, dated 19 May 2000.
Cultural Facilities Corporation, dated 10, 11 and 19 May 2000.

Exhibition Park in Canberra, dated 12 and 19 May 2000.
Gungahlin Development Authority, dated 19 May 2000.
Healthpact, dated 19 May 2000.
Independent Competition and Regulatory Commission, dated 19 May 2000.
Kingston Foreshore Development, dated 12 and 19 May 2000.
Legal Aid Commission (ACT), dated 19 May 2000.
Public Trustee for the Australian Capital Territory, dated 11 and 19 May 2000.
The Canberra Hospital, dated 10 May 2000.

Purchase agreement

2000-2001 purchase agreement between the Treasurer and the Chief Executive of the Department of Treasury and Infrastructure.

PRESENTATION OF PAPERS

The following papers were presented by **Mr Humphries**:

Purchase agreement

2000-2001 purchase agreement between the Attorney-General and the Chief Executive of the Department of Justice and Community Safety and the Director of Public Prosecutions.

Subordinate Legislation (including explanatory statements)

Agents Act—Appointment of a specified person as a member of the Agents Board of the Australian Capital Territory—Instrument No 120 of 2000 (No 18, dated 4 May 2000).

Dangerous Goods Act—Determination of fees—Instrument No 123 of 2000 (S14, dated 4 May 2000).

Duties Act—Guidelines for Motor Vehicle Dealers Authorisation Scheme—Instrument No 124 of 2000 (No 19, dated 11 May 2000).

Optometrists Act—Determination of fees—Instrument No 119 of 2000 (No 18, dated 4 May 2000).

Periodic Detention Act—Periodic Detention Regulations Amendment—Subordinate Law 2000 No 20 (No 19, dated 11 May 2000).

Radiation Act—Appointments of specified persons as members of the Radiation Council—Nos 121 and 122 of 2000 (No 19, dated 11 May 2000).

23 May 2000

JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE
Report on Draft 2000-01 Budget—Government Response

MR HUMPHRIES (Treasurer, Attorney-General and Minister for Justice and Community Safety) (4.39): I present the following paper:

Justice and Community Safety—Standing Committee—Report No. 9—The 2000/01 Draft Budget of the Department of Justice and Community Safety and Related Agencies (*presented 28 March 2000*)—Government response, dated May 2000.

I move:

That the Assembly takes note of the paper.

The report of the Justice and Community Safety Committee was tabled in the Assembly on 28 March this year. The committee reviewed the draft budget of the Department of Justice and Community Safety and made 17 recommendations following its deliberations. We are supporting most of the recommendations in the report as they confirm our desire to work effectively across all departments to provide a comprehensive and relevant service. The committee made 17 recommendations. The government agrees with 12 recommendations and agrees in principle with one recommendation. It does not agree with three recommendations.

Recommendation No 4 suggests that the ACT government consider providing additional funding to the AFP budget for the purchase of police search and rescue vehicles and diving equipment. This proposal was put to the committee by the Australian Federal Police Association. Assembly members will be aware that the government is entering into a purchaser/provider agreement with the Australian Federal Police which will concentrate on the outcomes expected by the ACT community. Investment in physical resources to meet those outcomes is an operational matter and best left to be decided on by AFP management, which will take account of relative priorities.

Recommendation No 10 advocates that the government provide additional funding to reimburse community organisations which provide assistance with interview friends. The Office of Community Advocate administers an after-hours interview friend roster which operates from 5.00 pm to 8.00 am each weekday and all weekend. Police are provided with a roster and contact the relevant friend directly when needed. Volunteers are trained by the OCA. When police need an interview friend between 8.00 am and 5.00 pm weekdays they generally contact youth centres for assistance. However, it should be noted that sometimes OCA volunteers attend daytime interviews. Also, community services attend those matters where they have an involvement.

Recommendation No 14 suggests that, in recognition of the need for a consumer credit legal service for low-income earners, the ACT government provide additional funding in the 2000-01 budget for the Care consumer credit legal service. The committee has identified no funding source and the only available funding source would be the existing legal aid budget allocated to the Legal Aid Commission. Care sought an allocation

of \$84,597. The commission has advised that a reduction of this magnitude in its budget would be untenable, given increasing stresses on that budget due particularly to impending major criminal cases.

There are existing alternative service providers to the consumer credit legal service, including the Legal Aid Commission, the Fair Trading Office and the Welfare Rights and Legal Centre, currently funded by the government. Other providers include the Banking Ombudsman, St Vincent de Paul, the Smith Family and the Salvation Army.

I thank the committee for the time and effort they have put into this report and its recommendations. I commend the government's response to the Assembly.

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

PURCHASE AGREEMENT Paper

The following paper was presented by **Mr Smyth**:

2000-2001 purchase agreement between the Minister for Urban Services and the Chief Executive of the Department of Urban Services, dated 18 May 2000.

PLANNING AND URBAN SERVICES—STANDING COMMITTEE Report on Draft 2000-01 Budget—Government Response

MR SMYTH (Minister for Urban Services) (4.44): For the information of members, I present the following paper:

Planning and Urban Services—Standing Committee—Report No. 43—The draft 2000-01 Budget for the Department of Urban Services [DUS] (*presented 28 March 2000*)—Government response.

I move:

That the Assembly takes note of the paper.

In January and February of this year the Standing Committee on Planning and Urban Services conducted public hearings on the draft 2000-01 budget. I welcome the examination of the draft budget as it provided an opportunity to examine issues currently being faced by the department. In March the committee issued Report No 43, which contained 15 recommendations.

The response accepts or agrees with five recommendations and notes six recommendations. Four recommendations were not agreed with. Two of the recommendations apply to budget reporting by all ACT government agencies. It is felt that they cannot be supported because of the additional effort required for minimum

23 May 2000

added benefit. The remaining two recommendations relate to a request for additional information. However, it is considered that sufficient information is already provided in the notes section of the budget statements.

I appreciate the efforts of committee members in providing the report, which will assist government in improving the quality of the budget information being provided. I table the government's response.

Question resolved in the affirmative.

**LAND (PLANNING AND ENVIRONMENT) ACT—VARIATIONS
(NOS 114 AND 144) TO THE TERRITORY PLAN
Papers and Ministerial Statement**

MR SMYTH (Minister for Urban Services): For the information of members I present the following papers:

Land (Planning and Environment) Act, pursuant to section 29—Variations to the Territory Plan, together with the background papers, a copy of the summaries and reports, and a copy of any direction or report required for:

Variation No 114 relating to the Heritage Places Register—Red Hill Precinct

Variation No 144 relating to the Molonglo River Corridor—The Defence Force Co-located Staff Colleges site including other land within this area of Weston Creek.

I ask for leave to make a statement.

Leave granted.

MR SYMTH: Variation No 114 to the Territory Plan enters the Red Hill precinct on the Heritage Places Register. The Red Hill precinct was included on the interim Heritage Places Register on 26 August 1994 and has been subject to ongoing appeals. The variation replaces the interim register for the Red Hill precinct and the guidelines included within the document, guidelines for the residential development of the Forrest, Red Hill, Deakin and Griffith historic areas.

The precinct includes 70 blocks and is bounded generally by the Red Hill reserve to the west, Moresby Street and Arthur Circle to the north, Monaro Crescent to the east and Flinders Way to the south. The primary significance of the precinct lies in its ability to demonstrate the garden suburb planning principles that applied in the development of early Canberra, particularly from 1930 through to 1980.

The precinct contains several buildings and elements of outstanding architectural, landscape or associative significance. It includes the existing and former residences of a range of people prominent in public life at a national and local level. The prestigious character of the area has led to the establishment of diplomatic missions and enhanced its attraction as a tourist destination.

The overall landscape of Red Hill is significant and highly valued by the community for its distinctively high ratio of garden areas to buildings and the mix of mature, deciduous and evergreen trees. The blocks within the precinct represent some of the largest within Canberra, many exceeding four times the average size.

There are conflicting public views between property owners and other residents within the precinct. Some Red Hill property owners wish to utilise the very large blocks within the precinct for multiple occupancy. This is opposed by other property owners wishing to retain the existing streetscape and broader landscape character of low-density development with extensive gardens and stands of mature trees enveloping dwellings and prominent street plantings.

The draft variation released for comment included new controls on tree removal, subdivision, building height and plot ratios. It also proposed to prohibit the subdivision of blocks and limit multi-unit development to no more than two dwellings per block dual occupancy. The proposal aimed to balance the need to preserve the heritage value of the precinct, which includes large blocks and established landscapes, against the need to retain some opportunities for additional development, particularly in relation to dual occupancy development.

In total, 42 submissions were received as a result of consultation on the draft variation. While the limit of two dwellings per block has been retained in the revised variation, the plot ratio controls included in the original draft variation would preclude some existing and recently approved developments that are considered to be satisfactory and create inequities at the thresholds. Consequently, PALM has developed a more appropriate control on the maximum gross floor area, based on a sliding scale which directly relates to block size. In response to concerns expressed by the Heritage Council, a new control has been developed for hard paving and surfacing.

The Standing Committee on Planning and Urban Services called for further submissions and held three public hearings. Following consideration of the issues raised during this process, some additional changes were recommended. These changes were tabled at the committee hearing on 23 March this year and the variation was further revised. The committee's report, No 45 of April 2000, recommends by majority that draft variation No 114 to the Territory Plan be endorsed.

In its report, the committee states that it is aware that the opinions on the draft variation are strongly held and range from those who favour a policy of one house per block to those who favour multi-unit developments in the area. The committee considers that the amended draft variation represents a middle path between these viewpoints. The committee also considers that the draft variation needs to take effect as quickly as possible to address current uncertainties.

A dissenting report from Mr Corbell proposes that the variation be further revised to provide for only one dwelling per block. I do not support this proposal. The complete exclusion of dual occupancy from particular areas would seriously infringe on the legitimate expectations of some of the existing residents. While I recognise the need to

23 May 2000

balance these expectations against the need to protect the heritage values of the precinct, I consider that planning controls in the variation offer considerable protection for the heritage values.

The variation introduces the following initiatives to control development. Firstly, the plot ratio controls restrict the amount of development permitted on each block. This ultimately means that the total maximum developable area within the precinct is limited to less than 15 per cent of its total area. Secondly, new controls on subdivision limit development to a maximum of two dwellings per block. Thirdly, the new controls limit the amount of hard surface permitted within each block to the minimum necessary for recreation and circulation. Finally, any tree that is higher than three metres or has a trunk diameter greater than 1.3 metres cannot be removed without approval.

These controls will be used in conjunction with other controls relating to streetscape, landscape, buildings and demolition to protect the heritage values of the precinct. I now table variation No 114 to the Territory Plan for the proposed placement of the Red Hill precinct on the Heritage Places Register.

Variation No 144 to the Territory Plan for the Molonglo River corridor and the Defence Force co-located staff colleges site, including other land within the area of Weston Creek, is also tabled today. The proposed changes to block 1195 Weston Creek from river corridor to broadacre land use policies will enable the Department of Defence to develop additional parking spaces required for the proposed expansion of facilities within the existing defence holding.

The variation is necessary to ensure that the Territory Plan provisions are not inconsistent with the relevant provisions of the National Capital Plan as amended by amendment 35, which was approved on 7 April this year. The disallowance period will be complete by 6 June this year.

Land use changes from river corridor trigger a mandatory preliminary assessment. A PA was prepared by the proponent and released for public comment on 1 December 1999. It was determined that the PA adequately identified the full range of impacts on physical, natural and human environments. No issues were raised which warranted further assessment.

The draft variation was released for public comment on 23 March this year. One written submission was received. PALM considered the issues raised in the submission and prepared a consultation report and final variation and submitted them to the ACT executive. Reports on consultation with the National Capital Authority, the Conservator of Flora and Fauna and the ACT Heritage Council were also submitted to the executive.

As you would know, Mr Temporary Deputy Speaker, the Standing Committee on Planning and Urban Services considered the draft variation and in Report No 50 of May 2000 endorsed the variation. Mr Temporary Deputy Speaker, I thank you, as chairman of that committee, and your fellow members for the efforts that were made last week in relation to draft variation No 144 and the way that committee members went out of their way to make sure that we could table it so that the disallowance period would not inhibit construction on this site in a speedy and expeditious way. It is a credit to you and to

Mr Corbell and Mr Rugendyke that you made those efforts and I am grateful for that. The urban services committee has chocked up 50 reports this Assembly; well done to you

I now table variation No 144 to the Territory Plan for the Molonglo River corridor and the Defence Force co-located staff colleges site, including other land within this area of Weston Creek.

**PURCHASE AGREEMENT
Paper**

The following paper was presented by **Mr Stefaniak**:

2000-2001 purchase agreement between the Minister for Education and the Chief Executive of the Department of Education and Community Services, dated 16 and 18 May 2000.

**EDUCATION, COMMUNITY SERVICES AND RECREATION—
STANDING COMMITTEE
Report on Draft 2000-01 Budget—Government Response**

MR STEFANIAK (Minister for Education) (4.57): For the information of members, I present the following paper:

Education, Community Services and Recreation—Standing Committee—Report No. 5—2000-01 Draft Budget of the Department of Education and Community Services and Related Agencies (*presented 28 March 2000*)—Government response.

I move:

That the Assembly takes note of the paper

The committee reviewed the 2000-01 draft budget of the Department of Education and Community Services and made 10 recommendations as a result of its deliberations. The government is disappointed that the committee chose not to bring forward more helpful and constructive suggestions on the draft budget. However, we are supportive of most of the recommendations as they confirm our desire to work effectively across all departments to provide a comprehensive and relevant service.

The report expresses no general dissatisfaction with the draft 2000-01 budget for the portfolio. The committee made a total of 10 recommendations. The government agrees with four of the recommendations, agrees in principle with another four and does not agree with two.

The reason the government does not agree with the recommendation about undertaking a full analysis of the impact of the social and community services, SACS, award on non-government organisations is that it does not take into account current purchasing

23 May 2000

arrangements. Award salaries are only one aspect in the overall context of determining the purchase price for those outputs. However, as I advised in an earlier statement, a costing exercise is being undertaken this year with service providers that will, amongst other things, look at operational costs.

The government cannot agree with the recommendation concerning the undertaking of a full analysis of the social outcomes associated with competitive tendering for adult vocational training. The efficacy of assessing the social outcomes of one particular activity is very problematic in any event, and in the case of TAFE activities there is no simple relationship between cost and the level of training. The government's response does, however, indicate how the needs of target groups for vocational training and access and equity generally are addressed.

I turn to the government's response to the other recommendations with which it agrees or agrees in principle. It accepts the relationship between service purchasing arrangements and the budget process and agrees that future budget papers should address the issue of accountability for social outcomes.

As well as the *State of the Territory Report*, there is a supplementary paper in this budget, entitled *Canberra: Building a Social Capital*, which explains the measures in train to monitor teacher supply, advises that the government has a process for identifying and supporting homeless students, advises that supported accommodation assistance program services are now being negotiated to take into account a provider's ability to provide the service required inclusive of applicable industrial awards, explains how the TAFE system complaints and appeals are dealt with and explains how unmet need for community support services is identified and monitored. I commend the government's response to members of the Assembly.

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

At 5.00 pm the proceedings were interrupted in accordance with standing order 34; the motion for the adjournment of the Assembly having been put and negatived, the proceedings were resumed.

PURCHASE AGREEMENT Paper

The following paper was presented by **Mr Moore**:

2000-2001 purchase agreement between the Minister for Health and Community Care and the Chief Executive of the Department of Health and Community Care, dated 17 and 18 May 2000.

HEALTH AND COMMUNITY CARE—STANDING COMMITTEE
Report on Draft 2000-01 Budget—Government Response

MR MOORE (Minister for Health and Community Care) (5.01): For the information of members, I present the following paper:

Health and Community Care—Standing Committee—Report No. 6—Report on the Inquiry into the draft 2000/2001 Draft Budget (*presented 28 March 2000*)—Government response.

I move:

That the Assembly takes note of the paper.

The government's response indicates agreement or partial agreement with 13 of the 18 recommendations contained in the committee's report. These relate to the provision of health services, the transparency of reporting and access to information.

A number of the recommendations sought the provision of additional funding for the Health and Community Care portfolio. I am pleased to announce that the government has agreed to increase growth funding by \$3 million over and above the significant growth funding already factored into the draft 2000-01 budget. The draft 2000-01 budget already provided for growth moneys in excess of \$47 million over the budget in forward years. This level of funding increases for Health and Community Care is without parallel in any ACT budget since self-government.

The government also agrees to provide increases to health-specific purpose payments. This has already occurred in relation to the Australian health care agreement, with a further \$567,000 in additional funding being passed on to the Department of Health and Community Care in this budget. It is intended that there be increased community involvement in the movement of services to the non-acute sector and it has agreed, in principle, to increase public accessibility to acute care and mental health reporting as the government is already committed to increasing the level of information being made available.

The government considers that the budget papers already contain adequate clarity with regard to mental health services and provide full disclosure of the funding received from the Commonwealth for specific purposes. It is agreed that government departments should play an active role in increasing accessibility to the draft budget papers, but it is doubted that a single community contact point would be as effective as the current arrangements involving contact officers between the funded community organisation and departmental officers.

The government intends to provide the community with the opportunity to discuss the privacy issues surrounding the development of a patient identifier number and health information network initiatives and is currently arranging a discussion forum through the ACT Health Care Consumers Association and ACTCOSS.

23 May 2000

The government does agree with recommendation 16 and will release the Disability Services Advisory Council subcommittee report, subject to some minor deletions to avoid defamation action against its proponents. I expect to do that on Thursday of this week.

The government does not agree with recommendation 2 as it believes that the output-based approach of budget presentation provides vastly improved information compared with the previous program-budgeting approach. The government does not agree with recommendation 18, which recommends a redirection of funding proposed for the supervised injecting place trial to improve community drug education. I would remind members that the decision to proceed with the supervised injecting place was taken by a majority of members of the Assembly.

In summary, I believe that the government has listened to the committee and that, within the constraints of fiscal responsibility, the 2000-01 budget provides the ACT community with an excellent result in relation to health and community care. I thank the standing committee for its report and I recommend the government's response to the Assembly.

MR WOOD (5.04): The committee made a serious attempt to consider all the issues in the draft budget. I am pleased that the minister has accepted 13 of the 18 recommendations in whole or in part and I thank him for the serious effort he has made in return to examine our proposal.

It is interesting to note from the response of each of the ministers to the various committee reports that most of the recommendations have been accepted. That seems a little at odds with Mr Humphries' persistent complaints that the committees did not take the process seriously. We certainly did point out the limitations. I know that in the case of my committee we did not have anything like the staff to handle the detail that is necessary in budget preparation.

I am sure that my colleagues will welcome the growth funding that Mr Moore referred to. I will not make any more specific comment because I will have to go and look at the papers and see the detail of that. The response of the government on the safe injecting room was expected. Indeed, I was one who did not agree with the committee as a whole. I do not know how often the chair of a committee does not agree with the committee's report. It was only in relation to one aspect of that report.

I will finish by saying, as I started, that the three committee members set about their task quite seriously and presented a report that we thought had merit.

Question resolved in the affirmative.

ADJOURNMENT

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

That the Assembly do now adjourn.

Death of Mr David Green Death of Ms Joan Tompsett

MR STANHOPE (Leader of the Opposition) (5.07): Mr Speaker, I would like to speak this evening of two friends of mine, who were also members of the Australian Labor Party, who have died in recent days.

David Green died suddenly on 12 May. His death was unexpected and, of course, a great shock to his family and his friends. David was a prominent journalist, both on daily papers and for government. He started his career in 1951 as a copy boy with the *Adelaide Advertiser*. He worked as a reporter for the *Advertiser* and he graduated to having his own daily column on that paper. At different stages he was the *Advertiser's* representative in Melbourne and worked for a time in Fleet Street.

In 1965, David began a long career in government information. He joined the Department of the Navy and shortly afterwards became its director of public relations. In that role his colleagues credited him with restoring the public image of the navy which had been so badly damaged by the *Melbourne-Voyager* collision and its aftermath.

Over the next 20 years and more David played a similar role with the Australian Tourism Commission and the Commonwealth Department of Education. His final government post was with the then ACT Schools Commission.

As his colleagues have noted elsewhere, David worked with drive and enthusiasm and produced work of the highest quality. In 1989, David started his own consultancy and continued to run it until the time of his death. Through his consultancy, David assisted me when I was running for the Assembly and after that.

His friends from his days in the papers and in government public relations talk of David's capacity and the quality of his work. My experience was the same. David's advice was first rate and so was the product he delivered. Too often, he met unreasonable deadlines.

David the person was outstanding, too. His most striking features were his generosity, his gentleness and his interest in so many things. Modesty was another of his defining characteristics. David had every reason to be proud of his achievements, but I cannot remember him ever talking of them.

David Green was a good man and a good friend. I will miss him. I express my sorrow and that of all members of the ACT branch of the Australian Labor Party to David's family.

23 May 2000

I will miss also another very good friend, Joan Tompsett. Joan was diagnosed only in recent weeks as suffering from cancer and died at the hospice last Saturday.

Life was not always easy for Joan. Joan's mother died when she was three and it was a loss she felt keenly ever afterwards. Her father later remarried and she saw little of her mother's family. In 1993, she wrote of the pain of this separation and of a feeling of not belonging. In later years she raised her family of David, Ian and Ann on her own.

Joan's father was a successful Commonwealth public servant and for many years was permanent head of the then Commonwealth Department of Territories. Joan moved with her family from Sydney to Canberra in 1949. She made her home here. She started work, married and raised her family here.

In the 1980s, Joan returned to the paid work force and in 1982 began to work for Bob McMullan in his role then of secretary of the ALP in the national secretariat. She continued to work for Bob when he entered parliament and until she retired in 1996.

Joan was an active member of the Labor Party. It was in this role that I met her. It was also in this time that I grew to know Joan and developed an enduring and lasting friendship.

In a public notice, her workmates in Bob McMullan's office have spoken of her as "a true friend and professional". They spoke also of her other qualities: her loyalty, her companionship, her commitment and her energy. These are all comments that I will repeat. I will add another quality—her generosity.

By the time I came into this place, Joan had been long enjoying a relaxing retirement, yet she had no hesitation in responding to my call for help in the early days of establishing my office here in the Assembly. Members may remember that Joan worked for me for the first two months that I was Leader of the Opposition. She returned gratefully to retirement after that effort, but was always available to help me and so many other people in the party and outside it.

I express sympathy on my own behalf and on behalf of all members of the ALP to Joan's children, David, Ian and Anne, and to her son-in-law, John, and assure them of the respect and affection that I and all other members of the Labor Party had for her.

**Death of Mr David Green
Death of Ms Joan Tompsett**

MR CORBELL (5.11): Mr Speaker, I fully endorse the comments of Mr Stanhope on the sad passing of two very valued members of the Australian Labor Party in the ACT, David Green and Joan Tompsett. I knew David Green better than I knew Joan Tompsett, although I certainly spoke to Joan on many occasions. The reason I rise this evening is more to do with David Green.

I came to know David very well. He was one of the most remarkable figures in the Labor Party in the ACT. He was always able with his humour and his willingness to endure any crisis with a seemingly calm and positive approach to the situation. David assisted me as well with a number of publications and other work that I needed to have done here in my capacity as a member of the party. Indeed, before my election to this place, I worked for John Langmore, the then member for Fraser, and I knew David in his capacity as a helper and assistant in campaigns there.

David will be greatly missed, because he had the capacity to take the sometimes vague and incoherent ideas that members of parliament had when it came to what they wanted published or how they wanted things presented and fashion them into something that looked highly professional and well presented. In that regard, someone like David does not come along very often in the Labor Party.

My partner, Nelida, knew David very well and I know that she was deeply upset by his passing. It was indeed a shock. She had the opportunity to deal with David on a regular basis through her activities in the Labor Party. They spoke regularly, almost on a daily basis during campaign periods, and his not being there anymore is a vacuum which many of us are still finding very difficult to comprehend.

Mr Speaker, he was a fine member of the Labor Party and he will be sorely missed. I join Mr Stanhope in extending condolences to David Green's family and the family of Joan Tompsett. Her contribution also will be greatly missed.

Death of Mr David Green

MR MOORE (Minister for Health and Community Care) (5.14), in reply: Mr Speaker, in closing the debate, I would like to join members of the Labor Party in extending sympathy to the family of David Green. I knew David Green very well, not the least being because he once lived three or four doors from where I currently live. He moved from there quite some time ago, 15 years or so.

David Green came back to talk to me some years ago after his son Matthew died of a heroin overdose. He was looking for a way to try to deal with that issue. It was through David's influence that Families and Friends of Drug Law Reform was commenced.

I dealt with David on many occasions on a number of issues. One thing that I was never in any doubt about in my mind as he made it clear was that he was a member of the Labor Party and an extraordinarily devoted one at that. I always respected that, as he would expect me to. His assistance with some of the things that I was doing did not interfere with that and I understood that.

I was pleased to hear Mr Stanhope and Mr Corbell talking today about his contribution to the Australian Labor Party. I know of the contribution he made there. But I am sure that my colleagues will agree that his contribution to the community went much broader than that and occurred in many ways. I was aware of community groups seeking the sort of help that Mr Corbell was talking about regarding clarifying their ideas and helping to publish those ideas. David Green was always willing to assist there.

23 May 2000

As has been said, he was a great member of the Labor Party; but, beyond that, he was an important member of the community generally and somebody who had a significant influence on our community, both through the Labor Party and through his broader influence in the community. I consider that he will be sorely missed. I appreciate having this opportunity to extend my sympathy at the same time.

Question resolved in the affirmative.

Assembly adjourned at 5.16 pm