



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

6 December 2000

Wednesday, 6 December 2000

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

STANDING ORDER 130

MR SPEAKER: Order! Before I call the Clerk, I would like to bring to the attention of members the provisions of Assembly standing order 130. Standing order 130 provides that a matter on the notice paper must not be anticipated by a matter of public importance, an amendment or other less effective form of proceeding. The rule is a basic one of parliamentary proceedings. *House of Representatives Practice* outlines at page 308 the application of the rule in relation to motions and states that bills or other orders of the day are more effective than a motion.

Private members business notice No 7 on today's notice paper calls upon the government to ensure that certain action is taken concerning the provision of drug injecting equipment and procedures for the distribution of such equipment. Order of the day No 33, private members business, sets down for consideration the resumption of debate on the question that the Needle Exchange Bill 2000 be agreed to in principle. Having considered the content of the Needle Exchange Bill 2000, particularly part 4, I have concluded that debate on notice No 7 today would anticipate debate on the bill. I therefore must rule debate today on the notice out of order.

ELECTORAL AMENDMENT BILL 2000 (NO 3)

Ms Tucker, pursuant to notice, presented the bill and its explanatory memorandum.

Title read by Clerk.

MS TUCKER (10.34): I move:

That this bill be agreed to in principle.

This bill had its genesis in a debate we had in the Assembly last September regarding the financial disclosure provisions in the Electoral Act for Independent MLAs. At present, parties and Independent MLAs must provide to the Electoral Commissioner an annual return detailing certain amounts paid to the party or Independent MLA over the year and the amounts spent on various campaign expenses. MLAs representing parties do not have to put in any annual returns. The government put forward an amendment to the Electoral Act so that Independent MLAs would no longer have to declare in their annual returns all income they received, only donations and gifts relating to their position as an MLA.

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In that debate there appeared to be general agreement that there needed to be consistency between the reporting requirements on Independent MLAs and party MLAs. However, there was much disagreement over where the bar should be set for the reporting requirements on MLAs. The Labor Party in particular thought that the government was setting the bar too low and that we should be requiring all MLAs to report all their income. To quote Mr Stanhope, rather than reducing the obligation of Independent members, we should be increasing the obligation on all members of the Assembly, including party members. Mr Corbell echoed this comment and said that the Labor Party members were prepared to disclose every cent of income received. Other Labor members made similar comments.

I think there is a general acceptance that the public has a right to know from where MLAs are getting gifts and donations in their role as MLAs. The public needs to be assured that incidents cannot be hidden of organisations and individuals seeking favours or support from MLAs through the provision of donations or of MLAs having a conflict of interest because they have financial interests in a matter before the Assembly. Debate in recent years in the federal parliament over the financial interests of certain Liberal ministers and whether they influenced their decisions is a case in point. Locally, we have had debates over the links between the Labor Party and licensed clubs and between the Liberal Party and various businesses around town which have donated funds to the party. These debates point to the need to make the disclosure provisions for MLAs as clear and comprehensive as possible.

However, I believe that the existing rules about disclosure of financial interests are inconsistent and disjointed. The Electoral Commission has a statutory role in collecting information annually from parties and Independent MLAs about gifts and donations, but not from party MLAs. There is also a register of the pecuniary interests of MLAs kept by the Clerk, as authorised by a resolution of the Assembly in 1992, but this information overlaps with what is required by the Electoral Commissioner and public access to this information is under different rules from those in the Electoral Act.

I said in that earlier debate that I would prefer there to be one reporting system that combines the reporting requirements in the Electoral Act and the requirements of the register of financial interests kept by the Clerk so that all financial information about MLAs is in one place and there is no duplication of effort or the potential for the two registers to get out of synchronisation. This bill puts that intention into effect.

It seems to me that there is a need to have only one system for keeping a register of financial interests and that it should be under the control of the Electoral Commissioner. While the register of members' interests kept by the Clerk and the information on election funding and expenditure kept by the Electoral Commissioner serve slightly different functions, they are interlinked in the sense that they are about exposing conflicts of interest held by politicians and would-be politicians. To me, it does not really matter whether these conflicts arise during election campaigns or during the life of the Assembly; they are still conflicts of interest that could unfairly influence an MLA's actions.

On a more practical level, the Electoral Commissioner already has statutory responsibilities for keeping other financial records of parties and candidates. There are already provisions in the Electoral Act to cover the collection of this information and to investigate breaches of these reporting requirements. It would not be a great extension for the commissioner also to keep records of the financial interests of MLAs.

My bill therefore standardises the annual reporting requirements under the Electoral Act between Independent MLAs and party MLAs. In the process, my bill introduces new annual reporting requirements for each MLA which require them to submit to the Electoral Commissioner annual returns which disclose certain information on the income, electoral expenditure and financial interests of themselves, their spouses and dependent children. New MLAs will be required to declare their financial interests immediately after taking up office and will then get into the annual reporting cycle once the end of the financial year comes around.

These reporting requirements merge the existing annual reporting requirements in the Electoral Act for Independent MLAs with the declarations of members' interests provided to the Clerk of the Assembly under the resolution agreed to by the Assembly in 1992. The disclosure requirements in my bill for members' financial interests are closely modelled on the information required to be disclosed to the Clerk in the existing statement of members' interests.

Once this bill is passed, the register of members' interests held by the Clerk will no longer be needed as all this information will be contained in the MLA returns provided to the Electoral Commissioner. The Electoral Commissioner will provide conditional public access to the returns on the same basis as currently allowed with the register of members' interests.

This new reporting system is intended to operate from the 2001-02 financial year, so members will have time to comply with the new reporting requirements. Candidates elected in the October 2001 election will be subject to the new reporting requirements.

In conclusion, this bill is about restoring some of the community's faith in politicians; God knows we need it at the moment. The electoral rorts being uncovered within the Labor Party in Queensland and the allegations of cash for preference deals between Labor and the Democrats bring all politicians into disrepute. One way of restoring public confidence locally is for MLAs to be totally open about their financial situations.

That does involve the disclosure of personal information, but if people want to be in politics they have to expect this level of public scrutiny. We are making laws here that affect the lives of our constituents and I think it is only fair that our constituents can check that we are acting in the public interest and not for vested interests.

Debate (on motion by **Mr Smyth**) adjourned to the next sitting.

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GAMING MACHINE AMENDMENT BILL 2000 (NO 2)

Mr Rugendyke, pursuant to notice, presented the bill and its explanatory memorandum.

Title read by Clerk.

MR RUGENDYKE (10:42): Mr Speaker, I move:

That this bill be agreed to in principle.

Mr Speaker, I present this bill today as a straightforward amendment to the Gaming Machine Act that, in essence, removes the provision for 24-hour poker machine operations in the ACT. Presently, licensed clubs have the ability to have their gaming machines operating around the clock. We have seen a scattering of clubs plug into the 24-hour trading across the city. In my own electorate I can think of venues in Belconnen, Macquarie, Holt and Charnwood which are part of the trend.

My attitude to poker machines has been clearly stated. It was only yesterday in this chamber that I was reminding members that we do have too many poker machines in the territory. According to the Productivity Commission, the ACT is second only to New South Wales at the top of the tree for poker machine spending in the country. We are way above the national average, which is not a record to be proud of.

Poker machines are at the core of problem gambling in our community. They prey on the most vulnerable people in society and they can be a destructive form of addiction. I am seriously concerned that we are not adequately protecting our problem gamblers. Certainly, the increasing prevalence of 24-hour poker machine operations is not helping the situation.

The advent of 24-hour poker machine operations is in direct conflict with the laws that we have in place for alcohol sales under the Liquor Act. The Assembly has determined that 24-hour liquor sales are not appropriate as a rule. Licensed premises are compelled to cease selling alcohol for a minimum of three hours, commencing at either 4.00 am or 5.00 am, depending on the arrangements with the registrar under the liquor regulations.

We have a situation where they turn the beer taps off, but the poker machines are allowed to keep on kicking, chewing up as much money as possible. We have a policy whereby we make it compulsory for drinkers to take a break, a practice which sends a clear message that there is a point at which you have to say that you have had enough, but we do not demonstrate the same sort of care for gamblers.

Mr Speaker, I have drawn on the expertise of Lifeline, which has a fine reputation for dealing with gambling problems, in researching this matter. I have discussed this issue at length and Lifeline is of the firm opinion that we have to give poker machine gamblers a break. We have to take away the temptation and give gamblers a break from the battering that they are giving their finances and their self-esteem. What I am proposing to do is to put in place a regulation for gambling machines that mirrors what we have in place for liquor or bar operations.

I flagged my concerns with ClubsACT three months ago and I am still waiting for it to get back to me with its views on the proposal. However, I have received feedback from one club, the Canberra Tradesmen's Union Club, which advised me that it had been operating under a 24-hour regime for seven years. One of my concerns with 24-hour trading is that there are limited services during the early hours of the morning, particularly around the time the beer taps are turned off. In many cases, there are very basic food menus and the only real function is the poker machines. It is a very ordinary situation when we have clubs that are open just so that people can walk in at all hours to drop their hard-earned money into poker machines.

The Canberra Tradesmen's Union Club is certainly one exception. It has taken the time to send me a menu of the type of food, including breakfast, that it has on offer and it has listed a range of other reasons that people go into the club when liquor sales cease. But the most compelling part of the letter relates to poker machines. The letter reads:

Yes, we do have poker machines, but they are not played very much in the early hours. People relax and enjoy each other's company and don't play so much at that time.

Some supporting figures. Please note, we stop serving alcohol at 5 am.

June 18, 6 am, 120 people in the club, only 13 playing machines.

June 22, 6 am, 60 people in club, only 15 playing machines.

June 26, 6 am, 85 people in club, only 9 playing machines.

June 29, 6 am, 140 people in club, only 17 playing machines.

June 30, 6 am, 217 people in club, only 28 playing machines.

July 3, 6 am, 270 people in club, only 13 playing machines.

Mr Speaker, these figures make it absolutely clear that there is little demand for poker machines during these hours of the morning. It does beg the question, though: are these people on the machines at 6.00 am part of the estimated 2,300 to 7,000 adults in the ACT who have gambling addictions? Are they part of the group of people who genuinely need a break?

In March 1999, the Select Committee on Gambling produced a report on the social and economic impacts of gambling in the ACT, with particular reference to poker machines. The committee recommended that the government commence research on the current prevalence of gambling in our city and the relationship between problem gambling and the prevalence of poker machines. This research has not been conducted and it certainly appears that the impacts of 24-hour poker machine operations have not been considered.

Judging by the small number of people using poker machines produced in the figures presented by the Tradies Club, turning the poker machines off for three hours would not adversely impact upon the clubs. The potential adverse impacts on the people on the machines and their families would be significantly greater. These are the negative impacts that this Assembly should be striving to minimise.

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I believe that my bill is sensible and in the best interests of the community. For example, it is highly questionable to have 24-hour poker machines in areas which are less affluent and can least afford to be bitten by the gambling addiction. I trust that my colleagues in the club industry will take a responsible stand and support this proposal. I commend the bill to the Assembly.

Debate (on motion by **Mr Smyth**) adjourned to the next sitting.

OLYMPIC EVENTS SECURITY AMENDMENT BILL 2000

Mr Osborne, pursuant to notice, presented the bill and its explanatory memorandum.

Title read by Clerk.

MR OSBORNE (10.50): I move:

That this bill be agreed to in principle.

The Olympic events held in Canberra earlier this year highlighted the lack of appropriate security legislation that we have had for major sporting and community events.

The Olympic Games were an extraordinary event requiring rather extraordinary security powers. In recognition of that, the Assembly passed the Olympic Events Security Act to provide additional powers should there be a problem with people who were intent on disrupting any of the soccer matches or related Olympic events. However, now that the Olympics have come and gone, we are back in the situation we were before in regard to major sporting or community events.

The ACT has gone to great lengths to market itself as a major sporting and cultural tourist destination. In any given year, we could expect to host major entertainment events such as the V8 supercar race, a round of an international car rally, a rugby test match, Super 12 and National Rugby League semi-finals or finals, Summernats and a couple of rock concerts—well, supposed rock concerts.

At each of these occasions, large crowds gather to be entertained in one form or another. In some instances, these could be up to 100,000 people in size. There have been few problems in the past with those who wish to spoil an occasion by creating some form of violence or nuisance; but, unfortunately, there have been incidents and the potential for an unsavoury one is always there.

In such a case, I believe that we do not have adequate provisions to ensure the enjoyment of those who have paid to attend an event. This bill is basically a carbon copy of the security measures that were made available for Olympic events in the Olympic Events Security Act. However, I would stress to members that these security measures have been appropriately scaled down and tailored to fit the occasion.

Any special powers to remove people from a venue or to search personal property of those who are creating a nuisance have been placed only in the hands of the police. Other proposed security measures for Olympic events are disallowable by the Assembly.

I believe that this legislation is both necessary and reasonable. I commend the bill to the Assembly.

Debate (on motion by **Mr Smyth**) adjourned to the next sitting.

AGENTS AMENDMENT BILL 2000

Mr Osborne, pursuant to notice, presented the bill and its explanatory memorandum.

Title read by Clerk.

MR OSBORNE (10.53): I move:

That this bill be agreed to in principle.

Mr Speaker, this legislation provides for the minister to construct a code of practice regarding the conduct of any kind of agent covered by the Agents Act; in particular, real estate agents. It was brought to my attention a few months ago that some real estate agents engage in the practice of putting together lists of individual street addresses and their sale price for marketing purposes. These lists are then published on a wide scale.

A person is able to find out the sale price of an individual property from PALM by going through certain procedures. However, I believe that it is an unacceptable intrusion to have that information then widely distributed, especially for the commercial gain of an unrelated third party. This bill requires the minister to develop a code for real estate agents to stop that practice. So that members can gain a better understanding of the type of marketing document I am referring to, I seek leave to table a typical example.

Leave granted.

MR OSBORNE: I present the following paper:

Residential sales—Copy of letter to Higgins, ACT, residents from Marketing Executive, LJ Hooker Kippax relating to recent house sales and prices in Higgins.

I supported legislation of Mr Berry's earlier in the year in relation to employment agents, and I hope that members will see fit to support my bill.

Debate (on motion by **Mr Smyth**) adjourned to the next sitting.

MAWSON/ATHLLON DRIVE CORRIDOR

MR CORBELL (10.55): I move:

That this Assembly requires the Minister for Urban Services to not proceed with the proposed sale and release of the Mawson/Athllon Drive Corridor until the Standing Committee on Planning and Urban Services has reviewed the appropriateness of the Residential Land Use designation of the land and the Government has presented its response to the Committee's report.

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I have moved this motion because of widespread community concern in the Mawson and Phillip areas relating to the government's proposal to release land along the Athllon Drive corridor for residential development. As members would be aware, earlier this year the government announced its intention to release this parcel of land, which is currently designated for residential use. As part of that release process the government outlined a process for community consultation in relation to the proposed development controls.

Since that time there has been a strong groundswell of community opposition to the proposal. There have been over 1,000 signatories to a petition calling on the ACT government to stop the development. Residents have also raised their concerns about the appropriateness of the site for residential development. In particular, residents have drawn to the government's attention the massive destruction following the 1971 and 1972 floods along the Yarralumla Creek area, which is part of the proposed land release site.

Residents have also raised their concern about the process leading to the designation of the land for residential land use, and they have further raised the issue of the appropriate level of medium-density development in Mawson. In particular, Mawson and Phillip residents have pointed out that currently there are over 1,800 medium-density dwellings in the Mawson/Phillip area compared to only 701 standard single dwellings.

Residents are concerned about the loss of what they perceive as valuable recreational space in their suburb, as well as the traffic impacts which would result from the proposed development. To this end, I should point out that the government in its preparation of the development control plans failed to take account of the impact of traffic flows resulting from the proposed development, except on one street. But they did not pay any attention to the impact on Hurley Street of the proposed development and the traffic flows.

Earlier last month the Standing Committee on Planning and Urban Services received a letter from representatives of the Mawson/Phillip residents group relating to a request for the committee to examine the proposed development and release of the land. The group requested the standing committee to hold a public hearing on the matter and to write to the minister, urging the minister not to release the land for development until the committee had had an opportunity to look into the issue.

The committee agreed to this request and wrote to the minister on 20 November. There had been no reply from the minister until we saw an article in the *Southside Chronicle* about a fortnight ago. There, the minister rejected the call for further investigation of the release of the site. The minister accused me of scaremongering and being irresponsible, and said that the land had been already consulted on when it was rezoned residential in 1993. The minister rejected the suggestion for a further investigation of the issue. That is what led me to propose the motion that we are debating this morning.

This morning I received from the secretary of the Planning and Urban Services Committee a letter dated yesterday from Mr Smyth, the minister, advising that he would now agree to the committee's requests. I am very pleased that the minister has done so. I think it is important that we as representatives in this place respond to the concerns of people in the community on planning and development issues.

I was very pleased to speak at a rally of Mawson and Phillip residents about a month ago down at the end of Power Street immediately adjacent to the land proposed for the land release. Over 200 people attended that rally, Mr Speaker, and you were also there. It is unfortunate that the minister was not there—he was somewhat conspicuous by his absence. Nevertheless, the overwhelming feeling of that meeting was that the residents wanted to have their say and put their case as to why they felt the land use designation should be reconsidered.

Planning is a public activity and if we want to ensure that residents have confidence in the planning process they have to have the capacity to participate in it when they feel that issues have not been properly addressed. That is certainly the case on this occasion. Residents have put forward a clear and coherent case as to why they believe this land is not appropriate for residential development.

Our support of a request for a review is consistent with the Labor Party's platform on planning and development. Labor's planning and development policy now explicitly states that we will undertake a review of all urban consolidation and dual occupancy development policies in the ACT. Mawson seemed an appropriate place to start.

I would anticipate, following the minister's letter that I received this morning, that the government will be supporting my motion. I would urge other members of the Assembly to do likewise simply because we have to make sure that these decisions are right and we have to make sure that residents' concerns are taken into account. Most importantly, we have to make sure that land release is driven in a strategic way, not purely in terms of gaining revenue from attractive parcels of land. That clearly is a very legitimate concern in the current public debate. Mr Speaker, I commend this motion to the Assembly and I urge other members to support it.

MS TUCKER (11.03): The Greens have examined closely the government's proposal to sell off land for housing in the Athllon Drive corridor in Mawson and we have reached the conclusion that we cannot support the proposal. I would like to explain how we arrived at this position, to counter any claims that the Greens are just being politically opportunist in opposing this development.

The Greens are very concerned about urban planning because cities have a major impact on our global environment. We are very aware of concerns about the environmental impact of suburban sprawl such as the loss of remnant bushland around the city fringe and the transport demands of far distant suburbs. We believe that over time there need to be changes to the way urban development occurs to make it ecologically sustainable. We accept that there are some areas of land around Canberra that have unclear land use purposes because the original decisions about these blocks have become out of date due to the changing nature of development around them.

It is also the case that there will be a growing demand to rejuvenate residential areas in the inner parts of Canberra as the existing housing ages. However, just increasing the overall density of housing in existing areas and infilling open space to address the problems of suburban sprawl generate their own environmental impact such as traffic congestion, loss of tree cover and loss of recreational amenity. What is needed is a more targeted approach to urban renewal that takes into account Canberra's existing planning

structure of decentralised towns and the environmental and recreational value of open space.

What we have concluded is that urban renewal projects involving higher density housing should be focused in and around the existing commercial centres where there are already high levels of services and infrastructure and less of a need to use cars for transport. In applying these principles to the Athllon Drive proposal, we believe that the government has clearly failed to justify why this land should be developed for housing. As with its other recent infill proposals, the government has appeared to have just gone over the map, picked out areas that seemed unused, worked out how many houses could be squeezed onto the land, and only then attempted a tokenistic public consultation process to meet the minimum legislative requirements.

While it is true that this land was rezoned for residential use in 1993, I do not put much value on this fact. This rezoning was done as part of the introduction of the Territory Plan across Canberra to replace the old NCDC policies. It was a very complicated project and many changes to zonings that occurred in the translation of the NCDC policies into the format of the Territory Plan escaped full public scrutiny.

In looking at the history of this land it is clear that it has an ongoing role as a road corridor and buffer zone. I understand it is part of the original road corridor that was set aside back in the 1960s to link Yarra Glen to the then proposed new town of Tuggeranong. Its width mirrored the wide road corridor between Pearce and Curtin and it included a creek line. While later planning decisions removed part of this road corridor beside the Woden Town Centre from the end of Athllon Drive to the Yarra Glen roundabout, Athllon Drive will continue to be the major transport route through Woden.

The road reserve also includes a public transport corridor and it may be possible that extra bus lanes or even a light rail system could be built next to Athllon Drive in the future. There is also the ongoing need to accommodate the floodway. I therefore think it would be short-sighted to develop this land when it is needed as a buffer for a possibly widened Athllon Drive or a public transport corridor. Any houses built there would be of low quality as they would be crammed up against Athllon Drive and be prone to flooding.

Given that no link to Athllon Drive is proposed, the traffic coming out of the development heading south would also be channelled into Hurley Street, which was not designed as a through road. If the government wishes to change the land use of any land within the existing suburbs, and regardless of what the Territory Plan says, I would regard this proposal as a change in land use from road corridor and floodway to residential use.

The government should first do a comprehensive case-by-case assessment to determine the most appropriate land use designation. This assessment should look at the need for the land use change, the capability of the land for development and the impact of any development on the environment and on the amenity of existing residents in the vicinity. Such assessment should really start with a blank sheet rather than with a pre-conceived notion of what the land should be used for. Given the interests and on-the-ground knowledge of local residents, it is important for such studies to be done in an interactive way with residents.

I have not been impressed with the government's process so far in developing a development control plan for this area. A letter was distributed to residents in the adjacent street only a few weeks before the closing date for submissions. There was also a small notice in the *Canberra Times* which gave no real indication of what was planned for the area and most residents did not even notice it. A public meeting was conducted by PALM but by this time considerable work had already been put into preparing the developments control plan. So the meeting ended up being a typical "this is what we're going to do" style of public consultation rather than a more participative process that actively sought residents' views about the future of this land.

I understand that the planners had not even realised that the development would have a major traffic impact on the adjacent Hurley Street, which provides the main access between the land and Mawson shops. Only after the meeting was the traffic study of Hurley Street initiated. The residents organised a well attended public rally in protest at the government's proposal and it was only then that the government announced that the time for public comment would be extended.

I have to say that I have seen that happen on several occasions. I have heard the communities in the areas say on all those occasions, "Why is it that we don't get a reasonable time or process unless there is a very loud protest from the community? Why is it that the government won't take responsibility for ensuring proper processes are in place to begin with?"

Given the dubious nature of this proposal, I think it is reasonable for the Planning and Urban Services Committee to review the appropriateness of the development on this land and for the government to wait for the results of that review. Given that there are other areas of more suitable land that could be used for residential purposes around Canberra, I do not see any urgency in the government's proposal.

MR SMYTH (Minister for Urban Services) (11.10): Mr Speaker, as Mr Corbell said, I responded to the committee's letter of the 20th. It is important that we put on the record the facts regarding this site. Mr Corbell talked about the dangers of flooding and said that these things must be taken into account. What people might not remember is that we had an entirely different road structure, with a number of low-level crossings, in place in January 1971.

The flood at that time occurred because of a combination of two things. First and foremost there was what was called a one in a thousand year rain event that saw some four inches of rain dumped on Woden in particular in under an hour. Secondly, there was a low-level crossing which actually dipped down into the creek line at the then T intersection where Adelaide Avenue meets Yamba Drive. The creek itself was also unformed and parts of it were unlined. So what you had was a series of isolated things that on any other day would not have had any effect. A large amount of debris was washed down the creek and was then caught under the low-level crossing. That caused the water to back up which then had a flash flood effect.

I lived in Curtin in 1971 and we stood at the front window and watched the rain flooding down the front of our house which was situated at the bottom of a slight incline. This enormous amount of water was the result of what the Bureau of Meteorology says was

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a one-in-a-thousand-year-event. But the circumstances that caused the tragedy that saw three children from a Lyons family killed do not exist any longer. That is not to say that in some bizarre set of circumstances a flash flood of some magnitude could not happen.

As a result of these circumstances, the intersection of Yamba Drive, Melrose Drive and Adelaide Avenue was changed and what we have now is quite high above the flood plane structures that allow the water to flow freely. It is wrong to say that the government does not take what we are doing seriously because when this section was added to the Territory Plan in 1993 these facts were known and were available, and the planning that went on then led to a reasonable decision.

Mr Corbell says the Labor Party will review all these sites. Ms Tucker says she places little value on the fact that it was placed on the Territory Plan in 1993. Perhaps it is another one of these examples where Bill Wood, as planning minister, got it wrong. But the planning has been done and the process has been carried out that led to other assumptions that allow, or should allow, us to develop that piece of land.

Ms Tucker said that we just opened a map, picked out sites and filled in all the open bits. That is just not true. As I have made quite clear in the press and as I have said in this place, over the last 10 years there have been five examples of where urban open space was changed for another use. Mr Speaker, we have to get our facts right in this place. Which suburb has the largest percentage of urban open space? Oddly enough it is Mawson.

Mr Corbell: It's district playing fields, you goose.

MR SMYTH: Mr Corbell interjects, "It's district playing fields, you goose." Mr Speaker, of the suburbs in Woden, Mawson has the second highest percentage of open space land use—some 20 per cent of the suburb. Only Hughes has a larger percentage, and that is 22 per cent. The Woden Valley overall has an average of about 11.4 per cent open space. Mawson's open space will not be reduced if this site is developed because the site is already zoned as residential. So again the facts have been presented out of context and in a willy-nilly way.

Another issue that has been commented on is the capacity of Hurley Street to handle traffic flows. According to what I am told by the department, Hurley Street has an average of 845 vehicles per day near Power Street and 1,380 vehicles near Mawson Drive. It is estimated that this will go up to 1,100 vehicles per day at the Power Street end and 1,600 a day at Mawson Drive. I am told that the capacity of Hurley Street is 3,000 vehicles a day. So these are roads that actually do have capacity to handle this volume of traffic. I would have to assume that when he was planning minister, Bill Wood was given the same information for inclusion in the Territory Plan as residential, because the planners actually determined it did have the ability to handle that sort of traffic.

The issue of the south-bound traffic intersection with Mawson Drive was also raised. The understanding that I have is that, by using the Austroads guides criteria, that intersection does have the capacity built into it to handle any additional traffic. It is easy to get up at public meetings and stir the pot, but if you come back to the engineers and the planners then—

Mr Corbell: You were not even there.

Mr Hargreaves: Only if you get there.

Mr Corbell: Only if you show up.

MR SMYTH: It is curious that members opposite say, "Only if you show up." It is interesting that those Labor Party members opposite have so little to do that they can actually turn up at these meetings at a moments notice. Mr Speaker, I notice that you went to the meeting as the government's representative, and the government is always represented at these meetings. What we have is Mr Corbell wandering around Canberra being all things to all people because it suits his purpose. What we have is this attempt to undermine what Mr Wood did as the planning minister because it suits Mr Corbell's purpose.

Mr Corbell spoke about his review of dual occupancy and I guess there is none so chaste as those that reform. If you go back to the record on dual occupancy you will see that between 1992 and 1995 the Labor Party approved 637 dual occupancies. Of course, Mr Corbell says that is okay. But when it comes to the fact that between 1995 and 2000 we have approved only 417 dual occupancies, it is then a case of losing the amenity of Canberra. It is therefore curious that Mr Corbell should have said in this place that we are approving 500 a year, and I do not believe he has corrected that statement in the Assembly yet.

The government uses the process that is laid out. I make the point which I have made many times in this place: it is curious that when the process that we use achieves what those opposite want then it is a good process but when the process that we use does not meet their needs, whether it be political or policy or whatever, the process itself is flawed. You can always attack the process but credit is not given to the fact that a large majority of these processes run quite smoothly.

I can recite for the benefit of those opposite the litany of achievements of this government because I know they enjoy hearing about them, but it is the same process that saw the Gungahlin town centre shifted and the protection of valuable temperate grass lands. It is the same process that saw recently 100 hectares added back into the open space of the ACT. It is actually the same process that will protect Tuggeranong homestead from the Labor Party who zoned it for residential. And it is the same process as we are using here.

I can understand that it is easy to wander around the territory, being all things to all people, but it is a different matter when you are confronted by the facts. We will continue to correct the twisted facts that Mr Corbell puts out. Mr Corbell's credibility is being quickly undermined because he continues to put out only half the story in respect of certain documents.

A request has been made that the Planning and Urban Services Committee look at this site. They can do so if they wish. (*Extension of time granted.*) I do not believe that is necessary because the work has been done. I believe that the concerns that are raised can be addressed by good planning, by good engineering and, indeed, by good process. But if

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you are out there stirring the pot, if you are out there telling people half the story or if you are out there misrepresenting things then of course people will get worried and panicked by what is going on.

Planning is very important to this city. This government believes that you have to have an integrated approach. What you have to do is make sure that you get the economics right. We have done that. We have now got the territory in the black for the first time, unlike those opposite who were not able to balance the books through their land sales. All they did was drive down the price of housing in the ACT.

We believe that environmentally you must get it right. That is why we are the only jurisdiction that has its endangered species action plans completed, in place and now under review. There are 24 of those and they are working. This government believes that, in the interests of environmental sustainability, things like the new town centre of Jerrabomberra should not go ahead. We now know enough about that area to say that it cannot go ahead. This is the process that we use.

The committee has the right to hold a public meeting and inquire into this matter if it wishes to do so, and I would welcome that. I will offer to make my officers available to give the committee a briefing. As soon as the public consultation report is completed, I will get the chair of the committee a copy of that report.

Those opposite use planning in a curious way. Firstly, they use it to denigrate the work done by Mr Wood, which I find quite curious. I will either wait for Mr Wood's apology for the things he has got wrong or perhaps Mr Corbell would like to expand on those areas where Labor did get it wrong when they were previously in office, as he often now says.

This government will continue planning a sustainable city into the future. What we have from those opposite is lip service. What we have from both the Labor Party and from the Greens is: "Yes, we are in favour of urban infill; yes, we are in favour of greater densities to stop urban sprawl, but we will not tell you which bits or where; and everything that the government does is seemingly wrong."

It is curious that some of things that we are carrying out are on sites that Labor put in place.

Mr Corbell: You protest too much, minister.

MR SMYTH: I note Mr Corbell's comments. We sit there with our little smirk. It is Mr Corbell's credibility that is in question because every time he puts out something and tries to misrepresent what the government is doing, it is Mr Corbell who ultimately ends up being caught out.

Mr Speaker, if the committee wants to undertake this inquiry, that is fine. We will assist the committee, as we always do. As soon as the consultation is finished I will get them that report. I look forward to being able to progress with this development, which will assist in making Canberra a sustainable city into the long term. I look forward to it going ahead.

MR QUINLAN (11.23): Mr Speaker, I notice the minister mentioned in his speech that, as a former resident of Curtin, he had witnessed the chain of events that led to the flooding. I happen to be a former resident of Hurley Street—No 86 Hurley Street—and I used to enjoy being able to take the bike straight out through the gate in the back fence and pedal up to Woden or even to Civic to work.

I can inform the government, in case they do not know, that there was at that time—and I know through friends in the area that there still is—a genuine sense of community in that part of Mawson. The whole neighbourhood would come together at the bonfires that used to be lit at the back of the place where I lived, just as they have come together in more recent times to protest against the proposed development a little north of their bonfire spot and a little to the west of the townhouse development—it is probably not the best townhouse development in the ACT—that heads up to Hindmarsh Drive.

I have seen the plans for the Mawson redevelopment. I am not going to argue against this redevelopment on the basis that it might be on a flood plain or that there might be endangered species. The plan is appalling. You only have to take a 30-second look at the plan to see that the northern half of this proposed development is an attempt to cram in and maximise housing and to create damn near an immediate slum. So, from my perspective, the plan ought to be scrapped because it is a rotten plan.

The minister referred to the fact that he was advised by his department of the capacity of Hurley Street. The residents of Hurley Street told me that some measurement devices had been placed on Hurley Street to track the traffic possibly as a part of this exercise—by the sound of it, this was a little late in the game. But the devices were not left in place for the full cycle. They were not left in Hurley Street for a full week. So the information that was provided is incomplete. Of course, the people who that live in Hurley Street are quite aware of the fact that this process of measurement appeared to be more a case of window dressing than a genuine attempt to measure traffic.

I guess you have to know Hurley Street. It has got a couple of bumps and rises and quite a number of bends. It is not a wide street and any time you drive into it you will find cars parked. In more recent times quite an amount of truck traffic has been using Hurley Street. Ainsworth Street, which is probably the major feeder above Hurley Street, has been equipped with traffic calming devices. There are also schools nearby. Truckies coming from the north end of town who do not want to have to meander through the chicanes on Ainsworth Street or slow down for the 40 kilometres an hour school zone are cutting through Hurley Street.

So when you talk about the number of vehicles, it would be intelligent to measure the number of trucks as a percentage of through traffic that uses Hurley Street. This street has become a major feeder to the Mawson group centre.

I do not blame developers around Canberra for doing what developers do and trying to exploit to the maximum any available plot that they might be able to seek out. I do not know what the genesis of this Mawson development is but on paper at least the development—particularly the northern part—does not look good.

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Mr Corbell referred to a public meeting. That meeting was attended by Mr Corbell, by Ms Tucker's representative because she was overseas, and by the Speaker, Mr Cornwell, who I have to say did not rise and defend the government's or the minister's honour at the time. But at least he was there at short notice. Maybe he just wanders from place to place in Canberra stirring up the residents.

Mr Corbell: Aimlessly.

MR QUINLAN: Aimlessly wandering the town, stirring up discontent and ferment within the population, with nothing else to do. What happened at that meeting was important. Those people attended and the minister was going to attend. "Hang on, we will start in five minutes, he is coming soon. The minister is coming, he will be here. We have had a message from his spokesperson. He will be here." I have to tell you, Mr Minister, it is not good PR to have 200 people standing around waiting for you to turn up. You made a commitment to turn up but you did not do so. That is just a tip. It is something you might take on board, particularly when 200 people are quite perturbed about what is going to occur. They want to know what sort of traffic is being planned to run through Power Street and Hurley Street where, because Mawson is going through a regeneration phase, quite a number of kids live.

I heard the minister mention some numbers relating to urban open space. My tertiary studies in statistics are limited, but I did do some. I have to say to the minister that he is using figures as non-numbers. So I suggest that he takes a lesson in how to use statistics. He should also take a lesson in using logic. There is quite often a relationship between statistics and drawing conclusions, and that is logic—I will spell it out for you later.

Mr Smyth: So now we are a professor of logic.

Mr Hargreaves: At least he has got a degree.

MR QUINLAN: I was an outstanding graduate, if you want to know. Do you want to see the academic record?

Mr Smyth: So what? People who don't have degrees are somehow inferior? Thank you, Mr Hargreaves.

Mr Hargreaves: You can't match it with those that have.

MR QUINLAN: I have got HDs all over the place, and in statistics as well. It looks like we are going to have for some time a continuing debate about infill space in Canberra. If we start slinging around non-statistics like Stirling has got 20 per cent or 30 per cent open space because all the district ovals happen to be in the middle of Weston Creek—

Mr Corbell: I think the word is exorbitant, Mr Quinlan.

MR QUINLAN: Yes. The situation in Mawson is similar. The minister accused Mr Corbell of giving half the story. You are giving the wrong story. But, as I said, the minister has acted probably out of ignorance and not out of malice. When there are 200 people waiting at a public meeting then I suggest that half the story from Mr Corbell is better than none of the story from you.

I recognise that the minister has acceded to the inevitable and will be accepting this motion. (*Extension of time granted.*) But I suggest that if you take on board the process that has led to this situation then maybe this sort of thing will not happen over and over again. It is very obvious to the people of Canberra that the only time you get involved in public consultation is when you are dragged kicking and screaming to it. In case this is not obvious to a couple of people in the ACT, we intend to make sure that they know as we wander aimlessly around Canberra stirring up discontent in relation to infill.

MR HIRD (11.34): Mr Speaker, I have lived in Canberra for many years and, like you, I was a member of the previous advisory body. I recall that in the 1960s the NCDC had a master plan for the territory ring road system and it was proposed that this area of land would be part of the new town centre in the Tuggeranong valley.

I have vivid memories of the flash flood in 1971 which resulted in loss of life. Unfortunately and sadly, three children from the suburb of Lyons were drowned. Members of the then ACT police displayed extreme bravery in rescuing a number of citizens from their motor vehicles. Those police officers received awards, and justly so.

We must all remember that these errors in a planning sense were made by the National Capital Development Commission which, as a planner, was supposedly at that time the leader in Australia and, in the opinion of some people, the world. The NCDC planned the area that led into Yarra Glen. I must say that such a disaster should never ever occur again.

Under a Labor government in 1993 the vacant land which is the subject of the motion before the Assembly was designated for residential use under the Territory Plan. I understand that, under the government land release program, in June of this year the land was scheduled for sale in 2001. An undertaking was given to appoint consultants to look at the proposed options for this area and as part of that process local residents were informed.

Back in October of this year a public information exchange forum was held at the Mawson Primary School and, as Mr Quinlan indicated, approximately 200 residents attended. I understand that you, Mr Speaker, were there. Also, Mr Corbell, a representative from the Greens and, I understand, a representative of the minister were in attendance. But let us not kid ourselves—and I do not have to defend the minister as he is quite capable of doing so himself: we all have busy schedules and ministers have commitments that cover a large number of other jurisdictions. So that should be taken into consideration.

I understand that 90 public comments were recorded at that meeting. Those submissions, of course, will be dealt with by the department in their report. I also understand that, as a result of that meeting, traffic investigations were undertaken in respect of the street in which our colleague, Mr Quinlan, used to live—I think he said at No 86. These traffic investigations were carried out in response to public concerns as to traffic flows and the proposed development of land which was identified for residential use in 1993, and I do not have to reiterate who made that decision.

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The minister's department went through a series of checking processes before arriving at a position to have the area sold at public auction. My colleague, Mr Corbell, raised this issue, rightly so, with my committee. There was no hesitation by either me or my colleague, Mr Rugendyke, that we should make certain inquiries and make ourselves familiar with and aware of this matter. Mr Corbell identified that there had been some concerns from 200 residents who had attended the public meeting. The committee, of which I am the chairman, undertook to inform itself. We decided that the best way to do this was for me, as chair, to write to the minister requesting departmental information and a briefing. As members would know, this is standard procedure for my committee.

This was done in two ways. Prior to writing a letter to the minister, I informed him during discussions on another planning matter that it had been raised. I must say that there was no malice in the way the minister greeted my inquiries. He did not push the subject aside in order to drive ahead with residential development in this area. Quite the contrary, the minister welcomed the opportunity. From memory, the minister said, "This is the due and proper process when there is concern." I said, "We will forward a letter in due course," which we did. I also understand that the minister has written back to the committee and verified exactly what he told me previously in a conversation. So I do not know how one could accuse this minister of trying to scaremonger, upset or deny local residents the opportunity of having their say in respect of due process.

It is sad to think that there may well be a propaganda program under way aimed at the minister in relation to so-called infills. Recently a concerned resident of Rivett drew my attention to a pamphlet which was circulated by our colleague, Mr Corbell—and he has the right to do so—which indicated that the government wanted to remove a children's playground from the area. This was of some concern to me so I made inquiries and found this claim to be quite a yawn because it was untrue.

I might just add—and I am not defending the minister—that the minister has been honourable and above board. I dare anyone in this chamber to say that the minister has ever not given my committee assistance or a response to any question that we have asked. He has always made officers available to my committee in our quest to find information. Sometimes that information is not always well met by certain members of my committee, but at least the minister and his officers come forward with answers. Never has he rejected or neglected that approach. (*Extension of time granted.*) From what has been said today, it would appear that there has not been due process, and I refute that. I, as chair of the committee, and I dare say my colleagues are looking forward to a good outcome with residents being given the ability to have their say.

Mr Corbell approached the committee and rightly raised a question about proposed infill in the Turner district. The minister has indicated that nothing will occur until such time as the committee brings in its report. So who is scaremongering, who is using these tactics? I will leave the answer to that question to the imagination of members. But let us be honest and fair. If you want to play politics, let it be above board and not down in the gutter, as we are all capable of doing. I was interested in what our colleague Mr Wood said during an adjournment debate just recently. He said, "If you get down in the gutter, you can mix it." Let us not do that. We should lift ourselves up and do what we are supposed to be doing here, and that is representing our constituency and making this territory the best place to live, not only for this generation but for generations to come.

MR CORBELL (11.46), in reply: Mr Speaker, I thank members for their support. Mr Hird seems to be starting a new trend—that is, of believing what the minister says. I have to say that this is a groundbreaking trend which perhaps he is going to endeavour to impart upon the good residents of Mawson and Phillip. I say that because this government has a serious credibility problem when it comes to planning in Canberra. This government has a serious credibility problem with its approach to planning in Canberra, and that has been clearly demonstrated in relation to this issue.

I am grateful for the government's support of my motion but I have to express my concern about just how sincere that support is. We heard the minister reiterate in his speech that he believed that development should proceed on this site, that it can be done and that it should be done. Just what then is the purpose of the government supporting this motion if they do not themselves have an open mind as to whether or not there is a serious capacity for review of the site? Just how serious is their support? I would have to say that the only reason the government is prepared to support this motion is that to do otherwise would make their position even worse. Quite frankly, I think the community will understand that the government has been forced, as my colleague Mr Quinlan said, kicking and screaming into accepting this motion. This is highlighted by an article in *The Chronicle* a fortnight ago, and I will quote just the first paragraph.

The ACT Government has rejected a call for further planning on the sale of land alongside Athllon Drive in Woden to be delayed until residents have had a chance to put their concerns to the Legislative Assembly's Urban Services Committee.

A fortnight ago they said, "No, it's not needed. Don't need to do that. Mr Corbell is just scaremongering and irresponsible." That was a fortnight ago. What happened yesterday? The minister wrote a letter to Mr Hird and we are told, "The government will await the committee's report before progressing this issue further." Well, that is very welcome but I have to say again that the government has been forced kicking and screaming into accepting the motion because quite clearly the committee did not receive this letter until after I placed my motion on the notice paper yesterday. We are going to have to watch this government very closely on these issues because they simply do not have credibility and they simply do not have the confidence of the community when it comes to planning issues.

I want to raise just a couple of other issues that Mr Smyth spoke about. One relates to Mr Smyth's comment that Mawson has lots of urban open space. I did not mention urban open space in my speech. This motion is not about land designated urban open space, but I am happy to address the point. Mr Smyth said that he felt that Mawson had a very high level of urban open space. In fact, if I recall his comments correctly, he said that the only suburb in Woden with a higher level was Hughes.

Mr Smyth talks about not telling the full story. What Mr Smyth of course neglects to mention is that Mawson has district playing fields. It is no wonder that it has a higher level of urban open space. Mawson has district playing fields—playing fields meant not just for residents of Mawson but indeed residents from all of the surrounding areas in the Woden Valley. Of course Mawson has a higher level. It is interesting to note that the Mawson playing fields were identified as part of the government's hit list for urban infill development. They thought that was a pretty good site, along with, I should add, the

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Mawson Oval and Mawson Primary School. So let us just be clear about what the minister says and what this government actually does.

The other issue that Mr Smyth raised related to flooding. He said that the flooding issue was one resulting from different infrastructure which has since been upgraded. Indeed, infrastructure has been improved all along the Yarralumla Creek area, including the very important intersection of Melrose Drive, Yarra Glen and Adelaide Avenue—I think it is still called Yarra Glen until it gets to the Mint but I will concede the point. That work has been done. But the flooding issue raised by residents relates not to the area further down at the Melrose Drive-Yamba Drive-Yarra Glen roundabout but to the area immediately behind the houses on Hurley Street. When flooded the water comes up to their back fences and covers the whole area proposed for residential development. That is an issue that should be properly explored by the Planning and Urban Services Committee.

Mr Speaker, we need to make sure that we get planning in this city right. But we need to make sure that planning is also a public activity. We need to make sure that people feel engaged in the process. Mr Smyth derides me for attending public meetings. I am very happy to attend public meetings, I am very happy to speak to residents of the community and I am very happy to articulate their concerns and their issues in this place because, quite frankly, this government is failing to do something.

Question resolved in the affirmative.

ROAD FUNDING—LEVEL OF FEDERAL CONTRIBUTION

MR HIRD (11.54): Mr Speaker, I move:

That this Assembly:

- (1) (a) noting the recent statements by the Federal Leader of the Opposition, Mr Beazley that the recently announced national roads funding package is a “National Party boondoggle” and that it had “a smell of pork”;
- (b) the comments by Mr Warren Snowdon, the Member for the Northern Territory, that the level of funding in the package for the ACT was “a sick joke”;
- (c) the importance of the roads funding package to the ACT in terms of access, road safety and importance to the local economy;
- (2) calls on the Chief Minister and Leader of the Opposition to write to:
 - (a) Mr Beazley seeking an assurance from him that a Federal Labor Government will treat the ACT on an equitable basis with other States and Territories with regard to roads funding; and
 - (b) Mr Snowdon seeking a retraction of his comments.

Like most people in Australia, I was pleased to hear recently that the federal government would be increasing funding for roads. The federal government will be providing \$1.6 billion in additional roads funding throughout Australia. Mr John Anderson, the federal Minister for Transport and Regional Services, advised on 27 November this year that the money will be allocated to two programs. Mr Speaker, \$1.2 billion will be allocated directly to local councils over four years under the Road to Recovery program

from next financial year. A further \$400 million over four years will go to national highways and roads of national importance projects to develop key arterial link roads in outer metropolitan areas.

The ACT will receive \$20 million in funding over four years from next financial year under this scheme. I commend the Minister for Urban Services. Earlier we heard some disquiet in respect of the way he is handling his ministry, but he is to be commended for the way he has negotiated with his federal counterparts. I was surprised that when the Prime Minister put forward this proposal, the federal Leader of the Opposition, Mr Beazley, described the proposal as a boondoggle for the National Party. At first I thought Mr Beazley had said it was a boon, which the *Macquarie Dictionary* describes as “a benefit enjoyed” or “a thing to be thankful for”. I then looked down the page to find that the dictionary describes boondoggle. Boondoggle, Mr Speaker, as I know you would know, is described in the *Macquarie Dictionary* as “pointless and time-wasting activities”.

Journalists pursued this and questioned Mr Beazley further on the issue on 27 November. He said:

When people start talking about roads who are politicians, there's always likely to be a smell of pork in the air.

He also warned:

We reserve the right to determine whether or not particular expenditures constitute pork.

He said that he would announce by the next election how they would deal with it. So far the federal Labor Party has identified one area of concern in relation to the package, and—guess what—it relates to this territory. The *Sydney Morning Herald* reports that Mr Warren Snowdon described the level of funding for the ACT as “a sick joke”, asking:

How can they justify \$20 million for the Australian Capital Territory?

I believe that this parliament should be concerned at the federal Labor Party's approach to road improvements within the territory. I consider that funding appropriate road works is an important function of government. As chair of the urban services committee, I am aware that many Canberrans, especially those in Gungahlin and south Tuggeranong, consider that the roads to those areas are in need of urgent upgrade. That is why this government is spending \$130 million over several years improving road networks within the territory.

That is why federal funding under the Road to Recovery program is important to this territory. It will allow us more money to improve our road network, which contributes so much to our quality of life. Indeed, members would be aware that the urban services committee has before it a reference concerning Gungahlin Drive, or John Dedman Drive. This, of course, relates directly to the new satellite area of Gungahlin, which is in dire straits, not having an adequate road system. Without pointing the finger at any group, I believe the government of the day that decided to develop Gungahlin should have taken a lead from previous governments and the former NCDC and put the road infrastructure in place before they started selling the land.

As an auctioneer who has moved around this region and other country regions, I know that the road system is vital for the movement of people, freight, produce—all sorts of things. We are the centre of a region. This region reminds me of the region I grew up in, the Newcastle area, where it was vital to have a good road system. Under the Askin government of New South Wales, with the assistance of the federal Menzies government, a four-lane highway was developed over a number of years to link the metropolitan area of Sydney with Newcastle. Today people going into that region enjoy that link, and people going further north bypass Newcastle and can go via Singleton to ports north.

Mr Hargreaves: Did you say “pork snorts”?

MR HIRD: If you want to know, Coolangatta or the Sunshine Coast. I thought you were paying more attention to what I was saying, Mr Hargreaves. This is a serious matter. We as a parliament understand that most people in Canberra appreciate the ability to travel anywhere in the ACT within half an hour.

Mr Quinlan: This is deep stuff, Harold.

MR HIRD: I hear the Deputy Leader of the Opposition say, “This is deep stuff, Harold.” I tell you now, Mr Quinlan, that I was shocked to hear the word “boondoggle” used by your colleagues in the federal arena, turning their back, as they have done so often, on the people of this territory. To win votes elsewhere they would take the bread out of our mouths, reef the \$20 million away from us, take the food off our plate. I am surprised to hear you make that sort of comment, Mr Quinlan. I trust that it appears in *Hansard*. Shame!

This money will allow us to address particular black spots where there is a high incidence of road accidents. We should not forget also that the ACT is the centre of a thriving region. People in the region depend on certain things—things such as education, health and other amenities—which they come to this city for. I have moved this motion to take action to safeguard this funding for the citizens of the territory and the people who come into the territory to do their business. It requests the Chief Minister and the Leader of the Opposition to send letters to Mr Beazley and Mr Snowdon expressing concerns over their statements. They should point out to Mr Beazley that Canberra is the national capital. Has he forgotten that? It is a city that all Australians should be proud of. Mr Beazley should ensure that his party members are aware of this and not put down just our city but the national capital of this great nation, Australia.

It is important that we have a bipartisan approach when we come to making certain that Canberra gets a fair go. A fair go is all we are asking for. This motion will put the acid test on the Leader of the Opposition, Mr Stanhope, to stand up against his national colleagues. I have full confidence that Mr Stanhope will. He needs to reassure us all that he is prepared to stick up for Canberra and ask that Canberra be given a fair go.

This motion will send a message to his federal colleagues to leave Canberra alone. It is not only the national capital but also our home, our city. We as residents depend on the functionality of the road system, as do those who live in the region.

Mr Berry: Why don't you write to Mr Beazley yourself, Harold?

MR HIRD: Listen to little Sir Echo. He is like a big tin—he makes a lot of noise but does not deliver much.

Mr Stanhope will have the opportunity to show that he has the backbone to make certain that we as a territory get a fair go and to tell his federal leader and his federal colleagues to leave their grubby hands off this territory.

Mr Berry: Ha, ha.

MR HIRD: I hear sniggers opposite, but I believe in facts and I believe in people. Mrs Carnell stood up to the Prime Minister of Australia—not once, not twice, but on several occasions. Mr Humphries has too. He has shown that he has the backbone to stand up not only for this territory but for the region. We are the national capital. Mr Stanhope needs to show us that he has the ticker to do the same.

Like most people, I consider improved roads to be a boon and not a boondoggle. A boondoggle is a nonsense. We need to send a clear message to the federal ALP that its priorities are wrong and that under the roads program as brought down by the federal government \$20 million should go to a deserving territory for better roads.

MR QUINLAN (12.08): Mr Speaker, I rise briefly to inform the house that I have just had a call from Mr Kim Beazley, who is terrified and has asked me to get Harold Hird off his back as soon as I can. The polls are going through the floor. He is very concerned that the government has sent their best man after him.

I want to make a couple of other points. I have looked around our roads locally, and from my observation they are going to pot—or potholes. It is a bit of a disappointment to see that we are spending a lot of money on prettying up paving here and there and yet the roads are falling into disrepair. They are an asset on our books, and the recovery cost is going to be larger than the ongoing maintenance cost would be.

We somehow managed to pretty up the town with flowers during the Olympic Games, and the government congratulated itself on what a great job it did, but it seems that very little has been put in train to do something about our roads. I heard a guy on the radio this morning say, "It is on the program or it is not on the program. It does not matter whether the road is crook or not. We are paving the good ones and not fixing the ones that really need repair." We need a little bit of flexibility. I think the government should take a good look at our local roads while we are talking about them.

I would also recommend to the government that if we are going to spend some of this money we should look seriously at Majura Road and look seriously at enabling the development of the Majura transport hub. If we get the very fast train, we have the prospect of building Canberra as a genuine regional centre and diversifying the economic base of the place. Use this money to its best value for the ACT economy.

I want to refer to Mr Hird's comments about Mr Warren Snowdon. As some would know, Mr Warren Snowdon was a local Canberra boy originally and obviously learned a little. If Mrs Carnell had said the things Mr Snowdon said in criticising expenditure

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elsewhere while asking for more expenditure locally, she would have been lionised by Mr Hird. But when a good local boy like Mr Snowdon, who is now domiciled in Alice Springs and represents the people of the Northern Territory with energy, as a good ALP member would do, says them he is criticised. This is a double standard.

Mr Smyth: So you support what he says? You stand by the Labor Party's comments?

MR QUINLAN: No, I take what he says—

Mr Smyth: You stand by what he said?

MR QUINLAN: Don't be stupid.

Mr Smyth: You stand by what he said?

MR QUINLAN: We had an earlier discussion, Mr Smyth, about logic. Mr Snowdon is being a politician. I am comparing Mr Snowdon's political manoeuvres, trying to favour his own area, with those of Mrs Carnell, who you would claim stood up for Canberra everywhere. But if that is too subtle for you, Brendan, come outside and I will explain it to you in little words.

Mr Hargreaves: And pictures.

MR QUINLAN: Yes, exactly.

Mr Smyth: You agree that Ted says Canberra bashing is okay?

MR QUINLAN: I was not talking to you.

Mr Smyth: He just agreed that Ted says Canberra bashing is okay.

MR QUINLAN: No, I did not. Go on, talk to yourself. The point is, Mr Smyth, that locally you are responsible for our roads. Under the Carnell government very little has been done on our local roads. They are falling into disrepair. Every person in Canberra has their own favourite little pothole that they drive past and watch grow month in and month out. Little has been done. When we do see the road repairers out, they seem to be fixing the bits that do not need repair.

The government should practise what it preaches rather than criticising the Leader of the Opposition, Mr Beazley, on making fairly obvious observations about Mr Howard, the man who promised the railway lines, the man who is quite obviously under pressure from the National Party and is obviously going to grease the political wheel. I think this is a silly motion, and it ought to be thrown out fairly rapidly.

MR STEFANIAK (Minister for Education and Minister Assisting the Attorney-General) (12:13): Contrary to what Mr Quinlan says, I think this is an excellent motion. I am absolutely amazed at the comments made by Mr Warren Snowdon. I know Mr Snowdon. I know he is a local boy. The convolutions Mr Quinlan went through to justify what Mr Snowdon said defy description.

Mr Snowdon, the member for the Northern Territory, reportedly said that the level of funding in the package for the ACT was a sick joke. What an incredibly stupid statement to make. It is taking Canberra bashing to a ridiculous extreme. I am very disappointed to hear it coming from someone I have always found to be very pleasant and who is a Canberra boy. He is not only a Canberra boy but a Canberra boy who has played rugby, albeit with the Easts club. I could almost accept that a comment like was an aberration if Mr Snowdon had been a back, but he is not a back. I think he played breakaway. He was a forward. It is absolutely amazing.

All jokes aside, Mr Hird is quite right to call on both our Chief Minister and our Leader of the Opposition to write to Mr Beazley seeking an assurance from him that a federal Labor government would treat the ACT on an equitable basis with other states and territories and asking that Mr Snowdon retract his comments. That is very important. There will be a federal election next year, after which Mr Beazley may well be the Prime Minister and administering federal funding.

Mr Snowdon is a reasonably senior member of the federal Labor Party. He has been in parliament for a long time, and I think it is right and proper that his leader indicate to him that he should withdraw these very unfortunate remarks, which smack of Canberra bashing. Canberra bashing is absolutely ludicrous and should be condemned—whether it is done by Liberal members, Labor members, National Party members, One Nation members or anyone else in the federal parliament—as this government has consistently.

I take umbrage at a comment Mr Quinlan made. He had a go at the Minister for Urban Services, Brendan Smyth, for a lack of effort in relation to roads. Mr Hird appropriately pointed out that this government has put a significant package on the table over a number of years. This minister has put \$130 million-plus on the table to enhance our road system. Members need to go through the five previous budgets and look at our efforts to maintain and enhance our road system. The minister has done a lot.

This \$20 million offered by the federal government will be very useful. Our road system is vital for providing the mobility required in our society and in our economy. We have one of the highest rates of car travel in the country and one of the highest rates of vehicle ownership in Australia. But we must not forget that driving can involve risks. Our road toll for a small territory is too high, especially when one considers our road system.

While we do have good-quality, well-planned roads, driving in Canberra can be deceptive. Our roads often look safer than they actually are. For example, what seems to be a good freeway-type road may have unexpected crossroads or sharply merging traffic or it may narrow down very quickly into a two-lane road. Equally, drivers can slip into a motorway mentality, and when they move on to a city or suburban road they can forget they are in a more complicated driving environment and fail to slow down and watch out for cross traffic, pedestrians and cyclists.

Such factors may account for why 64 per cent of serious crashes occur on our arterial roads. That represents about 556 casualties in the ACT each year. The new national road safety strategy which has just been released by transport ministers from all jurisdictions identifies improving the safety of roads as the single most significant achievable factor in reducing road trauma. Given this unequivocal endorsement of the safety value of road improvements, there can be no doubt that the ACT is entitled to a fair share of the new

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federal road funding. We have only just got to a stage where finally the Grants Commission has realised that the ACT was underfunded. Finally we are now getting some equity in funding. With about 1.7 or 1.8 per cent of the Australian population, the ACT pays about 6 per cent of income tax. Finally we are getting proper recognition that we should have a fair share of new federal road funding.

Recent research has also shown that our drivers have a very high rate of crashes when they drive interstate. It could mean that they bad drivers. Indeed, 46 per cent of crashes involving ACT motorists occur in New South Wales, and a significant proportion of those occur on rural roads. The numerous fatalities on the Barton, Monaro and Kings highways in recent years are tragic examples. Thus federal funding for road upgrades will benefit the whole region, as Mr Hird quite correctly said. It is a region of over half a million people, with thousands of interstate visitors each year.

While better and safer roads are important, they must be recognised as only part of the road safety equation. Education and training, enforcement and safe vehicles are also vital components of safe road use. In this context I would like to mention two special ACT government initiatives.

The Road Ready novice driver education program is a world's best-practice, graduated licensing system which is attracting highly favourable national attention. It is the first Australian driver licensing system to introduce a strong attitude and behaviour component as a prerequisite to getting a learner licence. Road Ready is being introduced in stages, having started in February this year, and it will be fully implemented by March next year.

Mr Hargreaves: What does this have to do with it?

MR STEFANIAK: If you are wondering what relevance it has, Mr Hargreaves, it is relevant to criticism your colleague Mr Quinlan made about this minister doing absolutely nothing in relation to roads.

The AFP and Urban Services vehicle inspectors launched a high-profile holiday season enforcement campaign on Monday, targeting things like speeding, drink-driving, seatbelt use and unsafe vehicles at the highest risk time of the year.

The effect of those education and enforcement initiatives is multiplied when combined with road upgrading. The new federal assistance is welcome and warranted. I hope the opposition support this. It is not every day that the federal government, of whatever political persuasion, offers the ACT \$20 million to do anything, let alone to upgrade roads. It is a welcome initiative from the federal government. It is welcome for Australia, especially rural Australia, where it is crucially important, but is also very important for the ACT, which is the largest rural centre in Australia. The motion is very worthy of support.

Mr HARGREAVES (12.21): We have heard this government belting the Labor Party and congratulating the minister for doing things nothing to do with roads. They claim all things wonderful in the receipt of stacks of money to address our deteriorating road problem. Funnily enough, we have not heard how much money from the ACT budget is

going specifically to roads. Maybe we will hear about that from the minister when he gets up and continues the boastfest.

I do not think the minister ought to crow about how much money he has extracted from the federal government. In August this year Senator Ian Macdonald announced that the ACT was going to get \$27,974,795. That represents 2.12 per cent. Wow, that is heaps!

The minister, through the mouths of other people, is saying what a wonderful guy he is. He is trying to claim the credit for getting stacks of funds from the federal government. Let us have a look at the numbers again. An amount of \$1.6 billion was issued for additional road funding. How much did the ACT get? Because of the magnificent intercession of this minister for potholes, we got \$20 million, but that \$20 million has to be spread over four years. This is another case of inventing a big number, spreading it over a long time and saying to us, "Aren't we lucky?" That does not work. It works out at about \$5 million a year.

In fact, the \$20 million is only 1.25 per cent. Scribbling furiously on notepaper will not change that figure one bit. It is 1.25 per cent. There is not much point abusing us. The minister ought to be having sharper words with his federal colleagues, because they have duded him.

It is going to cost \$7.7 million to duplicate Drakeford Drive between Taverner Street and Isabella Drive. When will that be? That will come some time down the bitumen track. It costs about \$3.2 million to do one kilometre of new road. So what is this government crowing about? The rest of the country gets \$1.6 billion. Our slice of the cake is \$20 million over four years. You would expect that the ACT budget could pick that up. It does not mean much over a four-year period.

Mr Hird said he hoped that Mr Stanhope had the backbone to make sure we get a fair go. I do not call 1.25 per cent of the cake a fair go for the people, let alone the 2.12 per cent in untied funds. That is an admission of rank failure on the part of this minister.

This motion is a silly political stunt to make the minister look good, which has failed, or to make the government look good, which has failed too. I cannot see what good it will do. Nobody in this chamber finds it satisfactory when people bag the ACT. I wish in my heart of hearts that Mr Smyth would grow up and stop trying to copy the Gary-ing technique of the Chief Minister. He does it so badly that he looks stupid. He ought to save himself the time.

If we have one thing in common in this chamber, it is our abhorrence of attacks on the ACT. That is not on. We have all joined in our expression of distaste of the Prime Minister for rejecting his own national capital. We have all gone into the public arena and criticised people of various persuasions when they have bagged Canberra in the media. We have all expressed our distaste at the utterings of Jeff Kennett when he was bagging Canberra. It is known that the Labor Party across Australia does not have anywhere near the record the Liberal Party has for bagging Canberra. I go on the record right now as saying I excuse no-one.

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I am not going to support this motion, because it is silly. It calls on the Chief Minister and it calls on the Leader of the Opposition to do something which is silly. What has been said in this chamber is on the public record. We all use our own expressions of delight or otherwise to comment on our federal colleagues. I for one will be making my feelings known quite succinctly.

It is a shame that this government, led so badly by its Deputy Chief Minister, wants to bag one federal member, when it has been so ineffectual in getting the Prime Minister to live in his own capital city. If my memory serves me correctly, it took a Liberal candidate in a previous election to rattle the gates at the Lodge and to say, "Please, John, come and live here, because we miss you." We, of course, did not miss him at all. This motion is just a political stunt. The only thing I agree with this motion about is that I share the distaste Mr Hird has for bagging Canberra. The motion is worthless and ought to be rejected.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.

Sitting suspended from 12.30 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Bruce Stadium Redevelopment

MR STANHOPE: My question is to the Chief Minister. Volume 5 of the Auditor-General's report on the Bruce Stadium redevelopment fiasco reveals that senior government officials "clearly recall" preparing a sensitivity matrix and writing a comprehensive comparative report of the two shortlisted project management tenders—that is, the bids by CRI and Lend Lease to manage the project. However, the Auditor was unable to locate either document. Following the revelation that there was a considerable volume of missing documentation relating to the redevelopment, I sought the advice of the chief executive of the Chief Minister's Department. Another search of the files revealed that around 200 documents had previously not been identified or located. However, the sensitivity matrix and the comprehensive comparative report were not on the list. Can the Chief Minister say whether the documents—that is, the sensitivity matrix and the comprehensive comparative report in relation to the competing bids of CRI and Lend Lease—ever existed?

MR HUMPHRIES: Mr Speaker, I cannot make a statement about that without getting advice. I will take the question on notice.

Microsoft Windows 2000

MR QUINLAN: My question is also to the Chief Minister. It relates to InTACT, in which I am taking an increasing interest these days. Chief Minister, you may be aware that there are some real problems facing the system Microsoft Windows 2000. Research at hand says that there are something like 63,000 bugs in the original version.

Mr Moore: Which research?

MR QUINLAN: If you like to look up the Net, there is user information there for the computer thing with a keyboard on it. Windows 2000 will crash during some very basic operations. In an Internet week survey, 74 per cent of network administrators said that Windows 2000 crashes regularly. There is no uninstall available on a machine after upgrading it to Windows 2000, so once you have it you have it to stay, and the system is very hungry in its use of computer memory and disk storage. In light of these statistics, Minister, will you tell this house whether InTACT or any strategic partner of InTACT has made arrangements to manage, configure, install, provide help desk support, hardware upgrades and technical advice for, and meet any other associated expenditure related to, Microsoft Windows 2000? If so, which strategic partners are involved, and what amount of money has been expended or is planned to be expended on the project?

MR SPEAKER: That is an extremely detailed question.

MS CARNELL: I have responsibility for information technology. InTACT has not at this stage installed Microsoft Windows 2000. As you would know from your own computers, we use Windows NT. InTACT has been very conservative about going to Windows upgrades unless there is perceived to be a benefit in doing so. There is no requirement under our contract to upgrade to the latest Windows version. We use the versions that suit us best. To my knowledge, there is no view that we will adopt Windows 2000 in the foreseeable future.

MR QUINLAN: I ask a supplementary question. To confirm that, there is absolutely no contract at this stage between InTACT and anybody else for Windows 2000?

MS CARNELL: We are not using Windows 2000. Our contract with Microsoft does not require us to upgrade to the latest version. We use the version that suits us.

Mr Quinlan: Is that a direct contract with Microsoft?

MS CARNELL: We have a contract with Microsoft, yes, but we do not have a contract with Microsoft that requires us to upgrade to the latest version. In fact, we have regularly not upgraded. Nobody uses Windows 2000. Even the retailers recommend using Windows 98 until the next version of Windows 2000, one without the said problems, is released. But remember that the approach InTACT has taken has been very conservative. We did not upgrade to Windows 98 in many cases, because there was no need to. We have Windows NT in most scenarios, but we take the approach that we do not upgrade unless parts of the new version are absolutely necessary to the operation of the ACT. At the moment Windows 2000 is not on the horizon.

Crime Statistics

MR HIRD: My question is addressed to Mr Stefaniak, the Minister Assisting the Attorney. Minister, what is the government doing to reduce the incidence of crime in the ACT?

Mr Stanhope: Not much.

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MR STEFANIAK: Mr Stanhope says, “Not much.” I would have thought he would have learnt from my answer to him yesterday. Mr Stanhope, even though you were not here during the Follett government, we have done a hell of a lot more than they ever did.

Mr Stanhope: The burglary capital of Australia.

MR SPEAKER: Order! Mr Stefaniak has the floor.

MR STEFANIAK: It is probably sensible to say a little bit about that. I recall that in the First Assembly in 1991 the Follett government reduced the police budget by 2 per cent. I think it went from about \$53 million to \$52 million. Guess where that came from? That came from the operational budget.

Mr Stanhope: The car theft capital of Australia.

MR SPEAKER: Gentlemen, if you keep that up you will be warned.

MR STEFANIAK: Thank you, Mr Speaker. That was a real reduction of about 14 per cent. Basically, that continued during the Follett government. Police numbers, which were some 694, I think, when the agreement was signed in 1990 with the Alliance government, dropped, and dropped quite substantially.

Mr Stanhope: Bill, the party king.

MR SPEAKER: I warn you, Mr Stanhope.

MR STEFANIAK: So your party, Mr Stanhope, has a very poor record on policing. Just ask any police officer that. Despite the perilous state in which we found the ACT economy in 1995—an operating loss of some \$344 million; the Follett government had achieved the seemingly impossible, squandering a budget surplus which we had inherited from the Commonwealth in 1989—this government managed to put a prime focus on restoring the financial health of our economy. At the same time, despite those economic difficulties, we maintained and improved on our police force. Now the budget is getting back into kilter after the disastrous years of Labor.

First, Mr Hird, we have put some \$10 million extra into policing this year. That means 82 extra police on the beat. As I said to Mr Stanhope yesterday, the figures he is quoting, the 1999 figures, were bad in many instances, yes. In other instances they were not. For things like murder they were fine, but for things like burglary they were bad. That is why, as I said yesterday, we introduced Operation Strike Back and Operation Hand Brake. We are seeing the benefits of that. The burglary figures are tracking downwards quite considerably. The car theft figures are tracking downwards quite considerably. It will be very interesting at the end of this financial year to produce those figures and compare them with figures for previous years. We are using intelligence-based policing.

Part of being smarter about crime is addressing things like courses of crime and taking measures to assist in crime prevention. Today I was very proud to join with the Chief Minister and the Chief Police Officer in announcing further initiatives, which total some \$1.292 million, to assist in crime prevention. Mr Speaker, these initiatives will provide valuable additional resources to assist in addressing crime prevention. They include the

provision of nearly half a million dollars for “An aware community is a safe community”, \$449,000 for addressing the needs of special interest groups, and \$221,000 to assist groups at risk in the community. The government and the AFP believe that these projects will help in the fight against crime in the ACT.

For example, we will provide \$210,000 on a communications strategy with high impact promotional material entitled “Crime—What can I do”. Those materials will involve things as simple as drink coasters, brochures and posters to be distributed throughout public venues like shopping centres, clubs, pubs, restaurants and crime hot spots. The police and the community, working together, will ensure that each and every resident in the ACT is aware about what they can do to prevent themselves from being a victim of crime.

Neighbourhood crime prevention is terribly important, and that has been allocated \$92,000. That will enable a fully equipped bus to visit shopping centres and crime hot spots to enable police to speak with residents near their homes about crime and local solutions to it. That dovetails with some very effective uses of buses outside shopping centres and in suburban areas to try to get information in relation to specific crimes. That has been very successful. This is a really big enhancement of that. That bus will go out generally to a lot of crime areas and shopping centres and police will seek the views of residents. Residents lead to many crimes being solved. Quite often police find that a crime is solved because a member of the public comes forward and indicates that a certain suspect was at such and such a place. That person is then very quickly apprehended and placed before the courts.

Mr Speaker, there will also be funds for crime research, a motor vehicle immobiliser program and crime prevention road shows. Under the banner of addressing the needs of special interest groups, we are providing funds to further cement links between police and the community, with a particular focus on our youth and the elderly. We will be spending more than \$166,00 on building a better understanding in our young children about police, especially children of those crucial ages of between three and 11, those formative years.

Mr Berry: How is the time going, Mr Speaker?

MR SPEAKER: Yes. All right.

MR STEFANIAK: There is a need to ensure that children are prepared to trust the police and know that they can approach our law enforcers if they have concerns. Most kids will do that, but it is crucial to get that out to all sections of the community to ensure that that can occur.

MR SPEAKER: Four minutes, minister.

MR STEFANIAK: Thank you, Mr Speaker. I will not be much longer. There are no more abhorrent crimes, Mr Speaker, than crimes against our elderly citizens, people who have done so much to help our society, by cowardly, gutless thugs. We are determined to protect those elderly citizens and ensure that they know about safety and security in the home. Accordingly, we have allocated an extra \$120,000 to the CLASP clientele subsidy. CLASP is the in-home safety assessment program for older people. It includes

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risk assessment and advice on their personal safety and security, and things like fire safety and fall prevention.

We are going to provide \$65,000 to provide our youth with a say in the fight against crime. It is a fact that the majority of people who commit criminal behaviour in the community are young people of between 15 and 25. That is a fact of life. We are going to establish a youth participation hotline which will be staffed by young people, and we will then undertake a detailed analysis of the results of the establishment of a structured youth network in schools and special interest community groups.

We are also committed to ensuring that groups at risk in the community are aware of the consequences of a life that involves crime. I am pleased to see that more than \$150,000 will be used to recruit two additional Aboriginal community liaison officers to assist in developing an Aboriginal liaison strategy and an indigenous family violence protocol.

Mr Berry: Come on. This has gone too far.

MR SPEAKER: Yes. Minister, wind up, please, otherwise make a ministerial statement.

MR STEFANIAK: I am, Mr Speaker. We are also going to establish police rangers to help change the future direction of their lives. Children will be able to take part in adventure camps and other group activities, thereby facilitating ongoing positive contact with police.

Mr Berry: Just table it, Bill. It's just a speech.

MR STEFANIAK: Mr Speaker, this package covers a wide spectrum in the community. It is a positive step in preventing crime in Canberra. It is able to be provided because of the hard work of this government to rectify the economic mess Labor had—

Mr Berry: I take a point of order, Mr Speaker. I think it is fair enough. He is just reading a speech. I wish he would just table the thing.

MR SPEAKER: Members, I have spoken about this matter and I have asked about it before. Long questions and long answers. I am willing to be reasonable, but four or five minutes is about a maximum. Otherwise I think a statement should be made. Please wind up, minister.

MR STEFANIAK: I am winding up, Mr Speaker, if you would just be patient. With the continuing good work of the AFP and assistance from the community, I think we can help ensure that less people become victims in the ACT.

Mr Berry: Sit down.

Mr Hird: What about my supplementary question?

MR STEFANIAK: I don't know about a supplementary.

MR SPEAKER: Minister, I will be sitting you down.

MR STEFANIAK: I am happy to table a detailed list on this very important initiative. I think if members are interested in crime prevention they would show a little bit more interest in it. I table that document which lists all of those initiatives in detail. I table the following paper:

Crime Prevention Budget—List of crime prevention measures and costings.

Gungahlin Development Authority

MR CORBELL: My question is to the Chief Minister. In October of this year the ACT Supreme Court found that a \$6 million tender for the release of land at Yerrabi Ponds by the Gungahlin Development Authority was unlawful. Chief Minister, in a WIN Television news bulletin on 19 October of this year, the day following the court's decision, you said, "I intend to meet with the chair of the authority in the next few days." Have you met with the chair of the GDA in relation to this matter? What was the outcome of any meeting held?

MR HUMPHRIES: I thank Mr Corbell for that question. Yes, I did, as I indicated, meet with the chair of the Gungahlin Development Authority shortly after the decision by the ACT Supreme Court was handed down. I indicated to the representatives of the GDA who were present that I was concerned about the decision that had been made. I was intent on ensuring that we had, to the maximum extent possible, systems at work in the ACT to prevent issues of that kind arising in ACT government agencies' handling and tendering processes. I wanted assurance that this process had been handled appropriately. There was an explanation given by the members of the authority who were briefing me then about what had occurred.

I should, I suppose, put on the record the view of the GDA about this matter. The authority took the view that the cause of the problem in the litigation had been the treatment by the tendering parties of taxation issues, particularly taxation issues that were made a little less certain because of the advent of the GST. There had been different views advanced about the way in which the impact of the GST on a tender bid would be handled in the way in which the bid was made and how it was treated by the GDA.

The GDA indicated that they were seeking advice on this question from counsel in Victoria—in fact, Mr Richard Tracey QC of the bar in Victoria—and I said that I would like to be briefed again once the advice had been received. I understand that the advice has taken longer to be received than they at first indicated. It has now been received and I understand that I will be receiving advice from the authority shortly as to what course of action they propose to take, based on the advice that they have received.

I have also indicated clearly to the GDA that I consider that the running of an appeal in the matter in a substantive way would be an action of last resort and that strong justification would need to be made for them to commit further money from the authority to the conduct of that litigation. Mr Speaker, I am happy to advise members further in due course when I have received the advice that I am awaiting from the GDA.

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MR CORBELL: I have a supplementary question, Mr Speaker. I thank the Chief Minister for his answer. Chief Minister, what action is being taken within the GDA to ensure that this problem will not occur again? Will you initiate an independent inquiry separate from the GDA into the conduct of this matter?

MR HUMPHRIES: Mr Speaker, the GDA were at pains to point out that the uncertainty about the treatment of taxation issues is a matter that is not likely, by its very nature, to occur again. Again in the GDA's defence, what occurred was that a request was made to the Australian Taxation Office for a ruling on the issue that was causing the problem with the preparation of the tender process and that ruling, after several attempts, was still not forthcoming at the point when the relevant decisions had to be made about the tender process.

I would hope that we will not be in that position again, Mr Speaker. Therefore, I cannot see this issue recurring. However, I have indicated very clearly to the GDA and, indeed, to other agencies of government that I expect issues of this kind to be handled well, with due regard to probity, and in such a way that the issues that were given rise to in such a case do not recur. I was reassured by what I heard from the GDA, but I was not prepared to accept until the final advice is received that this is the end of the matter.

Will I conduct an independent inquiry? I do not see the need for doing that at this point in time. I want to see what the advice is from Mr Tracey. If the questions are adequately answered as to why this occurred and the advice does not expose any systemic problem with the way in which the GDA conducts its work, I do not believe the case for an independent inquiry will be made out. But that is a matter on which I will reserve my judgment until I see that final advice.

Bicycle Helmets

MR WOOD: My question is addressed to Mr Stefaniak, both as minister responsible for police and as education minister. It is an important issue, bearing in mind its capacity to save lives. Minister, I see a trend for more young cyclists not to wear a helmet, and this trend is confirmed—I see the Chief Minister nodding—as I talk to young people, who believe they are under no pressure to wear a helmet.

I raised this question with Mr Humphries and received a comprehensive reply from him in which, quoting the chief of police, he said that ACT Policing preferred not to take the punitive action of issuing infringement notices but believed that a verbal warning from a police officer about the benefits of wearing a helmet had much greater potential to influence the future behaviour of young cyclists, and I agree with that.

Given the anecdotal information from young cyclists and my own observations that police appear to be ignoring them when they do not have a helmet, can you confirm that police would be actively requiring helmets to be worn and that this issue is also treated with importance in schools?

MR STEFANIAK: Certainly in relation to the police, I note what my colleague the Chief Minister has written to you, and I take it that was prior to the change of Chief Minister. I would like to get a copy of that, if I could, Mr Wood. I am interested that you

agree that a verbal warning from a police officer is usually effective, and that is very pleasing if that is the case. But, if they are not doing it, I am certainly happy to check into that. I would appreciate it if you would supply me with a copy of your letter and the response so I can look at the police angle and take it on board to see if we can improve the situation.

In terms of schools, yes, we have very extensive education programs to teach people sensible road habits. Certainly I am aware of a lot of emphasis being put on safe cycling over a considerable period—including, of course, the essential nature of wearing a helmet as part and parcel of that. Not only is it the law for cyclists, but also it is terribly important that young people are taught to do that for the obvious reason that it can actually save their lives.

I am reminded of an excellent cyclist—in fact, a representative of Australia in mountain-bike riding—who had a very nasty accident the other day. His mother showed me the helmet he was wearing. It was a bit mangled up and was being shown around to people at an event. If he had not been wearing that he would be dead. It is as simple as that—a helmet can actually save lives, so it is a terribly important message to reinforce. I am certainly happy to see that it is reinforced further in schools because obviously that is an important place to start getting the message across to young people. I thank you for raising the question, Mr Wood, and if I can have that documentation I will follow up on the police angle.

MR WOOD: I will certainly do that, Mr Stefaniak. But is it also the case that the police are so stretched and so far behind in curbing crime that they do not have time to talk to young cyclists and to give that verbal warning?

MR STEFANIAK: I think I have answered that in full, both today and yesterday, Mr Wood, in terms of the additional resources that we are putting into the police and proactive policing, and that is part and parcel of proactive policing—getting out there and talking to people.

Fern Hill Development

MS TUCKER: My question, which is directed to the Minister for Urban Services, Mr Smyth, relates to the preliminary assessment that has recently been released of the proposed development of the Fern Hill area in Bruce. Minister, the proponents of this development are the Fern Hill Joint Venture, the Infrastructure and Asset Management Group and the Commonwealth Department of Finance and Administration, who all hold land in this area. The preliminary assessment was prepared following detailed site studies and other research carried out by a team of consultants on behalf of the proponents. This consultant team is listed and contains five private consultancy groups and also the wildlife research and monitoring unit of Environment ACT. This is quite worrying as this unit normally provides advice through Environment ACT to PALM on the adequacy of the ecological aspects of preliminary assessments and also on the environmental impacts of Territory Plan variations like the one that the proponents are seeking. The unit will end up commenting on its own work.

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Minister, could you confirm whether the wildlife research and monitoring unit was engaged as a consultant to help prepare this preliminary assessment and explain how you can reconcile this with the conflict of interest that this consultancy has created for Environment ACT?

MR SMYTH: Mr Speaker, I will have to take the question on notice and find out what part the unit had in the process.

MS TUCKER: I ask the minister a supplementary question, which the minister can take on notice as well if he needs to. The preliminary assessment also states that the development is not dependent on construction of either the eastern and western alignment of the Gungahlin Drive extension nor does it affect the alignment of either route, and that the western alignment of the Gungahlin Drive extension does not represent a fundamental barrier to the proposed development. So why is this government so set against the western alignment?

MR SMYTH: I guess that puts paid to the rumour that has been put around that we are going the eastern route to help the developers. The developers have said they do not want that assistance. The eastern route was chosen by the government after a large amount of work was done as offering the best route for that road.

ACTION—Privatisation

MR HARGREAVES: My question is to the Minister for Urban Services. Last night on local television news the minister said the privatisation of ACTION “was not on the government’s agenda”. Can the minister explain to the Assembly the nature of the government’s agenda? Is it an agenda with a time frame similar to that of Prime Minister John Howard, who promised that he would “never, ever” introduce a GST?

Mr Corbell: Good question.

MR SMYTH: It is a good question because it grows out of something that Mr Hargreaves put into the media because he does not understand section 36 of the proposed act. He said that the proposed act allows the early cancellation of a licence. He said, “Well, licence equals EBA, therefore we are going to break our word with the union.” Not true, Mr Speaker.

Mr Berry: On a point of order, Mr Speaker: surely the answer has to relate to the question.

MR SPEAKER: And it is relating.

Mr Berry: No.

MR SPEAKER: Ministers can answer question as they see fit.

Mr Berry: Well, I suppose we could move dissent.

MR SPEAKER: Mr Smyth is leading into the answer. He is preparing the ground.

MR SMYTH: Mr Speaker, the television coverage last night related to things that had been said by various groups about the intent of the Public Passenger Transport Bill, which leads to what is going to happen.

Mr Corbell: He is about to say that Mr Hargreaves has been irresponsible. And he is also about to say—

MR SPEAKER: Order! Please be quiet over there.

Mr Corbell: And he is also about to say—

MR SPEAKER: I warn you, Mr Corbell.

MR SMYTH: Because those opposite had not done the work and were not ready to discuss the bill yesterday and because Mr Hargreaves entirely misunderstands the purpose of the bill, which is to ensure that public transport passengers are protected in the ACT, there is this misconception that the government is going to somehow sell ACTION. This place knows that any sale of a major asset of the ACT government will come back to this place. The government does not have the sale of ACTION on its agenda.

MR HARGREAVES: Mr Speaker, I have a supplementary question. Minister, I have received written advice from your department that the changes will give the government the power to contract out regular route services of ACTION. In making your statement yesterday, did you hear the echoes of a similar statement made by the former Chief Minister a day before the last election, when she told the *Canberra Times* the sale of Actew “was not on her government’s agenda”?

MR SMYTH: Again, Mr Hargreaves fails to realise what goes on in the ACT. Transborder provides services on regular routes, Keirs provides services on regular routes, Deane’s provides services on regular routes and private tourism operators provide regular services. If the Labor Party is saying that passengers who are using public transport in the ACT should not be protected by a system of accreditation and enforced standards then let them come out and publicly say so. This is what they stand for—they stand for nothing.

Gas Bill Rebates

MR RUGENDYKE: My question is to the Treasurer, Mr Humphries. I have received advice from a constituent whose mother lives in an aged care unit and receives a rebate of \$3.50 on her gas bill that the GST being charged on her bill is about \$4.20, which wipes out the rebate. This is happening on top of the fact that gas is more expensive than electricity. Even though new gas heaters have been installed in these government units, and the residents are please about that, the gas is so expensive that this person and other pensioners in the Ainslie complex are not using the gas, but are buying small electric heaters because they are cheaper to run. Is the Treasurer aware of this situation? Can he give an undertaking that he will raise the matter with ActewAGL to see whether the rebates for pensioners can be reviewed?

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MR HUMPHRIES: Mr Speaker, I am not particularly aware of the issue Mr Rugendyke has raised. I am happy to examine the issue that he has put on the table and see whether the rebates are set at an appropriate level. I am not sure whether the rebates are meant to cover this kind of additional cost or whether they are meant to be a generalised, across-the-board averaging of the extra cost. I am happy to find out, Mr Speaker.

Bruce Stadium Redevelopment

MR BERRY: My question is to the minister for sport, Mr Stefaniak. On radio 2CC last Friday the minister agreed with the presenter that, in relation to the long-awaited Belconnen pool, the government did not “want another bungle like Bruce Stadium”. That was very brave. He is the first minister in the government to declare that it was a bungle. The minister must have recognised that, in those 1,200 words in those 11 volumes, nothing good was said about the Bruce Stadium. Thank you for recognising that it was a bungle, Minister. Was this just a temporary exhibition of bravado now that the job search allowance of the former Chief Minister is about to run out? Does the minister concede that, as a member of cabinet—he was there at all relevant times—he contributed to the bungle? When he said that the government needed to be careful, did that mean you had to be careful not to be caught?

MR STEFANIAK: What a pathetic question to ask!

MR SPEAKER: I think the second part you can probably answer, not the first and the third.

MR STEFANIAK: The greatest bungle to come out of Bruce Stadium, Mr Berry, was the disgraceful treatment given to Mrs Carnell, who has done more for this territory than any other Chief Minister since self-government. That is the bungle that resulted from what you lot did.

Mr Berry is right in part of his question. He talked about process. Process is terribly important. That is certainly something this government has learned. We have made no bones about the fact that the process for Bruce Stadium could have been handled better. If there is a bungle in that, there is. But the greatest bungle, Mr Berry, is you clowns opposite and what you did in using that issue to hound the former Chief Minister, who has done so much for the territory.

MR BERRY: I have a supplementary question. Will the minister confirm that, by conceding that the Belconnen pool will not be built before the next election, he has ruled out categorically any illegal unappropriated expenditure or overnight loans to expedite the project? Will he guarantee that there will be no more sod turnings?

MR SPEAKER: There is an inference in the first part of that question, which I rule out of order.

MR STEFANIAK: There certainly is. I answered Mr Berry last week when I said that it takes more than 12 months to build a pool. I do not think we will bother with sod turnings. I have said before that I am sick of them. Why don't we challenge you to something like a water polo game when the pool is built?

Mr Humphries: Mr Speaker, I ask that further questions be placed on the notice paper.

Drug-related Deaths

MR MOORE: Mr Speaker, I took a question on notice from Mr Stanhope on 7 September—in fact, I had partially answered the question at the time—about indigenous people and heroin overdose deaths. I would like to provide the Assembly with updated information for the period from January 2000 to the present. I can now advise that there were 15 suspected overdose deaths in the ACT during this period, 13 in which heroin was the suspected cause of death and two from prescription medications. Nine of these have now gone to inquest and six are awaiting a coroner's inquest and report.

According to the findings of the coroner in a report released yesterday, three of the suspected heroin deaths have been attributed to other causes, bringing the number of heroin overdoses in the ACT to seven, with a further six inquests to take place. I must stress, however, that of the six only four are suspected of heroin overdoses. This means, therefore, that there have been seven confirmed heroin overdose deaths, with a further four still the subject of inquiry, bringing to 11 the number of suspected deaths from heroin overdose.

Three of the most recent deaths have been identified as being of indigenous people. However, at this point only two of them have been confirmed as being due to a heroin overdose. The other is still awaiting an inquiry. Should the remaining four deaths be attributed to heroin overdose, it would mean that indigenous deaths represented 27 per cent of the fatal overdoses during this calendar year. We have not quite got to that stage, but there has been enough for serious concern.

As members will be aware, it is not always possible to be certain that a person who has overdosed is indigenous unless that information is volunteered by family or friends, so there is another factor in there as well. But the point that Mr Stanhope was getting to is the seriousness of the issue, which we recognise.

ROAD FUNDING—LEVEL OF FEDERAL CONTRIBUTION

Debate resumed.

Mr HUMPHRIES (Chief Minister, Minister for Community Affairs, Attorney-General and Treasurer) (3.09): On this matter of road funding, I listened upstairs on the blower to the debate this morning to hear the arguments that were put forward as I was curious as to the views that members opposite would put. The motion is interesting for two reasons, Mr Speaker. First of all, it reflects on the state of play with the view of Canberra in the rest of the community.

Mr Berry: You must be desperate to waste time.

Mr HUMPHRIES: I agree, Mr Berry, that it was a waste of time listening to your lot speaking in this debate this morning. I did not get much out of it, I have to say. I searched for arguments to come down and address in this debate: what was going to be

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the major issue I was going to have to face as to why we should not deal with this issue in the way suggested?

Mr Hargreaves: We said it was silly.

MR HUMPHRIES: The arguments just were not there; so it is difficult to know what is the rationale. I heard the interjection that the motion is silly. Mr Speaker, I do not think that it is silly to confront Canberra bashing wherever it might occur. Canberra bashing is a problem that members opposite have been keen to put on the record whenever they have seen it occur on the part of the Liberal and National Party members of the federal government.

They have been very keen to attack it whenever they have seen it being uttered by people who are their political opponents. But, strangely, on this occasion they have a problem using the same logic, the same defensiveness of Canberra, when we are talking about an attack by members of the Australian Labor Party on Canberra. That is what this is, Mr Speaker; it is an attack on Canberra.

For example, to refer to providing funding for roads in the ACT as a sick joke, as did Mr Warren Snowdon, the member for the Northern Territory, is a reflection on Canberra. There is no other way that you can look at it. Again, I listened this morning waiting for a member of the opposition to explain how they interpreted these remarks to see what kindly spin they could place on those remarks and did not hear any, which I assume is a concession on the part of those opposite that there is no understanding of any appropriate message that might be taken out of these comments by the Leader of the Opposition and the member for the Northern Territory.

Mr Speaker, it is just disgraceful to describe funding for ACT roads in that way. I heard Mr Quinlan say that he considers, on the part of the ALP, that roads in the ACT are in an unsatisfactory state, that apparently roads need to be upgraded. We have agreed that there is a problem and, presumably, we have agreed that there is a response to that problem on the part of the federal government in actually producing some money. Should that not be welcomed by all of us here, and I assume that it is? Should it not, in turn, be a case of concern for us all if there are attacks on that process by members of the federal parliament, members potentially of a future government? It is a matter of great concern indeed.

Why is it that some members are not prepared to stand up for Canberra if it comes at a cost in political terms to them? Mr Speaker, people will not have any hesitation in saying that the Liberal Party in this place has been prepared to stand up for Canberra, even when it has meant coming into conflict with our federal colleagues on the hill. We have done that again and again.

We have been prepared to bite the bullet because we see our primary responsibility as being not to the Liberal Party of Australia, but to the electors of the ACT. We represent the Liberal Party in this place, we are proud to do so, and we fight the good fight on behalf of the party that we all believe in. But we also know that there is an overriding concern and consideration to make sure that if our electors are being disadvantaged, we stand up for them; that if our territory is being aspersed, we stand up for it; that if our rights are being derogated from or if money which we are rightfully entitled to is being

taken from us or being threatened to be taken from us, we say something about it. Whether it is a federal Liberal government or a federal Labor opposition that is making those sorts of remarks or launching those sorts of attacks, we speak out.

Mr Speaker, why does Labor not have the courage to make the same kind of commitment on behalf of Canberra? Why are they not prepared to say, "Sorry, Mr Beazley and Mr Snowdon, your attack on Canberra is something that we cannot support and we will do something about it"?

Labor has been quick to tell us on previous occasions these issues have arisen that they really do stand up for Canberra in such situations, but they prefer to do it behind closed doors. For example, when the federal Labor government of Mr Hawke was closing schools in Canberra, those opposite said that they were very concerned about that. This was when the subsequent territory government was closing schools and we were saying to them, "Why didn't you complain about the schools that your mob closed when you were being governed federally by Labor?"

Their response was: "We are doing this behind closed doors. We are taking this up in private with our federal colleagues." It is wonderful to think that they are taking it up behind closed doors with their federal colleagues, but you would have to say as well, Mr Speaker, that that is just not good enough. This parliament is a forum for the issues that matter to the ACT community. This is the place where we should be airing the concerns of the citizens of this city, where we should be making our pitch for the defence of the city's entitlements and its rights. If the rights of the people of the ACT have been attacked in a public arena, as on this occasion, here is the place to make our stand on their behalf.

What is Labor so afraid about that it does not have the guts to tell Mr Beazley and Mr Snowdon, "You have made a mistake. Canberra is entitled to that money. Canberra does have a need to upgrade its roads, like any other community in Australia. Canberra does recognise that there is some benefit in this package"?

Mr Berry: This is just time wasting.

MR HUMPHRIES: Standing up for Canberra is time wasting? Mr Speaker, we have a situation here where there is a motion to get stuck into the federal Liberal government because of—

Mr Berry: You will not be getting an extension, either, Gary.

MR HUMPHRIES: If you will not give me an extension, I will seek the suspension of standing orders, Mr Berry.

Mr Berry: Go for your life, son; that's fine.

MR HUMPHRIES: It is fine by me. I have no problems at all. In fact, there has been a challenge and I will make sure that I seek one.

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Let me say in addition on this subject of considerable importance that we have here not just an issue about how Canberra is being attacked and not defended by the Labor members in this place, but also an issue about the way in which the public perceptions of Canberra have changed.

I was at a function this morning where a person who lives outside the ACT made the observation that in recent years he had seen less and less of the antagonism towards the national capital that has been very characteristic, unfortunately, of Australians and he was buoyed and heartened by that because he was a supporter of this city. I said to him that I thought that there were indications of a lessening of that problem, that people these days were distinguishing between the federal government and the city of Canberra and the people of the ACT, but that it was still there.

I said to him, "I would have to say to you that the evidence is that it is still there when the man who purports to be the next Prime Minister of Australia is prepared to launch an attack on the ACT receiving funding under the national road program, describing it as a National Party boondoggle and saying that it had the smell of pork." I said to him that I hoped that those things would die out, but I thought that they would die out only when Australians of all descriptions reacted badly to those sorts of attacks on our national capital. That will not happen if we all assist in attacking the concept and if people are not prepared to tolerate this kind of behaviour, particularly by national leaders, people who ought to know better. (*Extension of time not granted.*)

In that case, I move:

That Mr Humphries be granted an extension of time.

Mr Berry: Mr Speaker, this is just a silly filibuster of undergraduate politics that we do not need.

MR SPEAKER: The motion is not open to debate, Mr Berry.

Question resolved in the affirmative.

MR HUMPHRIES: I looked at the minutes of yesterday's proceedings. We took about six hours over the Gaming Machine Amendment Bill 2000. What was that if not a filibuster, Mr Speaker? And who was filibustering? Those people opposite. For goodness sake, we have had three-quarters of an hour on federal roads funding. Talk about the pot calling the kettle black!

Mr Speaker, I want people to see that the residents of the ACT are prepared to stand up for their rights and entitlements and to see their elected representatives do the same thing. Just last week, the Liberal government here was asked—in fact, even directed—to write to the federal government on the question of the Noel Butlin Archives. We were asked to take up the concerns on behalf of the ACT community about reducing the resourcing for the Noel Butlin Archives. We did so. We accepted that responsibility without complaint, even though potentially it puts us in conflict with members of the federal government, because we do not mind standing up for things that are important about the city of Canberra.

If we can be asked to do that, to go and tell our federal colleagues that we disagree with what they are doing, why can't you, Mr Berry? Why can you not do the same thing? You impose that discipline on us time and again. You tell us that these things ought to be a matter of standing up for Canberra, standing up against these nasty people in the federal government. On this occasion you have a test to meet—a test of honesty, a test of consistency, a test that says, "Because we demand this standard of the government, it should be demanded of us also in opposition."

Mr Speaker, if members opposite do not support this package, they are seriously wanting. We have had many such motions passed requiring us to confront federal Liberal colleagues in the last five or six years and we have never faltered but to respect the wishes of the Assembly when directed. Mr Speaker, I think it would become those opposite to apply to themselves the standards that they apply to us.

Motion (by **Mr Berry**) put:

That the question be now put.

The Assembly voted—

Ayes, 7

Mr Berry
Mr Corbell
Mr Hargreaves
Mr Quinlan
Mr Rugendyke
Mr Stanhope
Mr Wood

Noes, 9

Ms Carnell
Mr Cornwell
Mr Hird
Mr Humphries
Mr Kaine
Mr Moore
Mr Smyth
Mr Stefaniak
Ms Tucker

Question so resolved in the negative.

MR SMYTH (Minister for Urban Services) (3.28): Mr Speaker, I thank the Assembly for its endorsement that this issue is important. Those opposite have chosen to acknowledge the link between Mr Beazley's and Mr Snowdon's comments. If I were them, I would be embarrassed as well. Mr Hargreaves asked what was being spent on roads all up in the ACT. This year it will be \$29.6 million. Of course, we receive additional funding from the federal government on occasions. We got \$34.6 million from the federal government to improve the Federal Highway. There is \$12.5 million in the offing for the Barton Highway upgrade and, of course, we have got \$20 million for rural roads.

The rural roads are an important part of the infrastructure of the ACT. For instance, recently a section of the Monaro Highway was upgraded, at a cost of \$2.8 million. Tenders will go out in, I think, January for the rehabilitation of the Monaro Highway, at a cost of \$3.6 million. We are already doing design work on the rehabilitation and upgrading of the Sutton Road and the Majura Road, which are both very important rural roads. I acknowledge Mr Quinlan's comments about the importance of Majura Road in

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relation to the airport, the transport hub and the train route. They are very important issues.

We have also announced a \$130 million 5-year road package. The government's commitment here is to providing safe and accessible infrastructure and making sure that we do get it right. In regard to maintaining just the rural roads, this year there is \$858,000 for resealing rural roads and that will be spent in part on Apollo Road, Corin Road, Orroral Road, Uriarra Road and the Monaro Highway. As well, there is \$176,000 for maintaining the verges—the slashing, the removal of small overhanging branches, the cleaning up of litter and the fixing of guardrails. We have also started a systematic upgrading of all the guideposts on rural roads. That will cost about \$96,000.

On top of that, there are the upgrades of the Tharwa Bridge and the Cotter Bridge. For the Tharwa Bridge it is estimated at half a million dollars, of which there will be \$250,000 this year. For the bridge over the Cotter it will be \$750,000 all up, \$500,000 of which will be spent this year. We do have a rural road infrastructure and we do have a need to maintain it. I think that we all ought to be concerned about anything that would put this \$20 million at risk.

Among other things that we have facing us are the increase in the mass limits and the use of B-doubles. The federal government has said that it will allow these vehicles on the national road network. We have only 19 kilometres of national road network—basically, the Barton Highway and the Federal Highway. To accommodate the B-doubles and the higher mass limits, we need to upgrade some of our bridges, for instance. That is estimated at \$15 million worth of engineering solutions.

That is very important because Canberra does serve the surrounding community. Our commuters travel on these roads and it is very important that we get it right. What is important is that we should not let somebody, for cheap politics, put our funding at risk. To have somebody like Warren Snowdon saying that it is a sick joke and to have somebody like the federal Leader of the Opposition saying that it is a boondoggle, a pointless and time-wasting exercise, is something of concern for all of us.

The sad thing is that those opposite will not join in the debate. Whenever the Assembly directs that we write to the federal government, at this stage a Liberal government, we take that seriously and write to them. Whenever the Liberal government federally does something that we do not agree with, we go out and make the point to them that we do not believe that what they are doing is the right thing.

It is fair and reasonable for this Assembly to direct the Chief Minister and the Leader of the Opposition, in this case, to write to the Leader of the Opposition's federal leader asking him to guarantee that this funding will not be touched. Those opposite get a bit tetchy and a bit sensitive. Mr Berry said, "It is a silly stunt, Harold. Why don't you write to Mr Beazley yourself." I noted no comment of support from Mr Berry for rural road funding in the ACT.

Mr Hargreaves said that it is silly to stand up to it in this case and that he will not be supporting this motion because, basically, it is an attack on the Labor Party. It is not; it is an attack on somebody who is going to threaten funding to the ACT. We all ought to be standing up to it together, which is what we have often done. There is a clear link here

between Mr Beazley's comment and Mr Snowdon's comment and it is about time they apologised for it. You would have to think from what Mr Quinlan was saying that Canberra bashing is almost okay. Just because it is politics it is therefore okay.

We have tried to get people to move away from Canberra bashing. As Mr Humphries pointed out, people out there are starting to realise that Canberra is a city of 311,000 people with their own lifestyles and that, in fact, we are not responsible for the federal government, whether it be Liberal, Labor or whatever. Roads such as the Sutton Road, the Majura Road, Lanyon Drive, the road beyond Boboyan through to Adaminaby and even the Brindabella roads are roads that could be considered for this funding. Once we have got the guidelines from the federal government, we will be looking to make sure that we do spend it wisely, because it is important that these roads be upgraded and maintained as appropriate.

Mr Speaker, the important thing here is that we have an opportunity for the Assembly to say to the federal Labor Party in this case that it is not appropriate to threaten Canberra's funding and it is not appropriate to call any funding that comes to the ACT for the rural community—indeed, the surrounding community and the Canberra community at large—a sick joke. Those opposite should have said something before now. These statements were made last week, yet we have heard nothing from those opposite about what their efforts have been to stop their federal party denigrating our home, the city of Canberra.

Mr Speaker, it is a good motion. The whole issue of rural road safety is very important. As Mr Stefaniak pointed out, issues such as education, policing and enforcement are important, but getting the infrastructure right is just as important. This \$20 million will go a long way towards doing good work on our rural road infrastructure. It will support the community. The Assembly should support this motion.

MR HIRD (3:35), in reply: I have just one thing to say, that is, that the bringing forward of this motion certainly touched a nerve opposite. I would ask the Leader of the Opposition to join the Chief Minister in writing to his counterpart federally. If he says that he will, I will sit down. Let him put his money where his mouth is.

I have already had my say in respect of this matter. I am shocked and horrified that the gentlemen opposite are not taking this matter seriously. It is about \$20 million worth of funding to their constituency and I find them wanting on that. The tetchiness of those opposite makes me wonder whether they are fair dinkum about giving the people of this territory a fair go in respect of this roads program. I tend to think that they are not.

They are gutless and incapable of defending the rights of the citizens of this territory. Forget the politics: they just cannot defend the rights of the citizens of this territory. The fact is that both Chief Minister Carnell and Chief Minister Humphries have attacked their federal counterparts and, I might add, their state counterparts when they have picked on their constituency, that is, the residents of the ACT. I never thought that I would see the day that the people opposite would not stand up for the very people that elected them to this parliament. I commend the motion.

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Question put:

That the motion (**Mr Hird's**) be agreed to.

The Assembly voted—

Ayes, 8

Ms Carnell
Mr Cornwell
Mr Hird
Mr Humphries
Mr Moore
Mr Rugendyke
Mr Smyth
Mr Stefaniak

Noes, 9

Mr Berry
Mr Corbell
Mr Hargreaves
Mr Kaine
Mr Osborne
Mr Quinlan
Mr Stanhope
Ms Tucker
Mr Wood

Question so resolved in the negative.

SUBORDINATE LAWS AMENDMENT BILL 2000

Detail Stage

Clause 1.

Debate resumed from 29 November 2000.

Clause 1 agreed to.

Remainder of bill, by leave, taken as a whole.

MR MOORE (Minister for Health, Housing and Community Care) (3.42): I move:

Clause 4, page 5, lines 8 to 29, proposed new section 9F, omit the proposed new section.

I have spoken to Mr Hargreaves and he has accepted that the proposed new subsection will make government more accountable but for the time being may make putting the legislation together more onerous. We have some concern about this. Mr Hargreaves and I are prepared to revisit the legislation in a year's time. If the time is right then, we can reintroduce this concept. We will not be closed minded to that. I think we should proceed with the bill without this slightly onerous task attached to it.

MR HARGREAVES (3.43): I thank the government, Mr Moore particularly, for the support they have given the bill and the principles that lie behind it. I am going to support this amendment to extract proposed new section 9F. For administration of this to work, it requires a commitment on the part of a number of people—the government of the day, the opposition, members, advisers to ministers and the bureaucratic staff who support them.

If there is any fear that this is going to add to their workload, let us remove that now. Let us see in 12 months time. I suspect that we will only see three or four regulatory impact statements in the next 12 months. I do not suppose it will be that much of an issue. We will be told fairly quickly by the community if they do not feel they are involved in this process. That will be the time to reintroduce this provision. We will do that at the due time.

Amendment agreed to.

Remainder of bill, as amended, agreed to.

Bill, as amended, agreed to.

ELECTORAL AMENDMENT BILL (NO 2) 1999

Debate resumed from 25 August 1999, on motion by **Ms Tucker**:

That this bill be agreed to in principle.

MR HUMPHRIES (Chief Minister, Minister for Community Affairs, Attorney-General and Treasurer) (3:44): Mr Speaker, the government does not support this bill. It sees the bill, at best, as a misunderstanding and, at worst, an attack on the very principles on which the Hare-Clark electoral system is based. Section 305 of the act prohibits candidates from making how-to-vote material available inside polling booths. Ms Tucker's bill creates an exception by allowing material to be placed on the walls of polling places. This is being done in conjunction with the fact that a ban exists on the distribution of how-to-vote cards outside polling places. That ban is well accepted by the ACT population. In fact, some work done by the Electoral Commission at the time of the last election to assess voters' views about that particular provision showed that it was viewed very favourably by electors.

This bill is an attempt to wind back the concept that voters should have a passage to the polling place and the ballot paper free of proselytising by political parties or candidates. It effectively allows people to tell voters the order in which they want them to cast their vote, the approved party position on the order of candidates.

Having had two elections under the Hare-Clark system, members should be aware by now that our system is a strong electoral system, one of whose strengths is that it gives electors real choice. The strength of the system is that it does not mandate that any particular candidate in any particular party must be elected. In the system, there are no such things as safe seats. You do not have the capacity in the Hare-Clark system to say, "I am assured of election, because I have a safe seat in a nice blue ribbon area." Nobody in this place has that assurance. We all have to work for our seats. Even within party tickets, existing members are competing with new candidates for that party. Much as we all might on occasions wish it was otherwise—we would all personally perhaps wish to have less competition—the fact is that the competition is there.

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The way to undermine that system is to allow parties to start to tell people the predetermined order of candidates on the ballot paper. Ms Tucker has told us that this is not meant to be compulsory; that it is not meant to be a requirement that voters have to follow in all cases. That is true. On the information contained in the bill, there is nothing that will force voters, or even lead voters to feel that they have an obligation, to fill out their ballot papers in a particular way.

Some voters will not understand what the process is all about and will make mistakes in that process. It has been put forward that the kind of form that was used for the Legislative Council in New South might appear on the sides of polling places in the ACT. I would not blame any citizen for being confused by looking at that information. It is rather intimidating.

Let us assume that the majority of voters ignore the advice of a party to vote for candidates in a particular order, but one-fifth of the voters for that party feel that they ought to follow the predetermined how-to-vote card the party has put in the polling place. That will very likely tip the election in favour of at least of the No 1 candidate of the party on the how-to-vote card in the polling place. If there is a new party whose candidates are not particularly well known, in theory all the candidates will have equal chances. How much hard work they have done to get elected will determine whether they will climb over their colleagues to win a spot in the Assembly.

With a how-to-vote card sitting in front of the voter as they fill in their ballot paper you have a set of proposals likely to influence voters—a small number of voters perhaps but enough to tip the balance in favour of the lead candidate on the how-to-vote card. That undermines the Hare-Clark system. It fundamentally misunderstands the Hare-Clark system, and it is unnecessary in the Hare-Clark system. It is simple to vote under Hare-Clark. The number of informal votes in recent elections has been quite small—in fact, by national standards, very small. There is no need to put up on the walls in a polling place advice about how to cast a valid vote to achieve a high level of formal voting in the ACT. I confidently guarantee that if we have forms like this in our polling places we will end up with more confusion and more informal votes.

It is important that we not compromise the integrity of our system. It is a good system. It has served the ACT well. It has been effective in delivering balanced Assemblies—Assemblies where the electors' choice, for the most part, has been reflected—and it is regarded well by the citizens it serves. To take this step would be counterproductive, and it would be a serious concern.

I have received advice about a number of potential problems with the bill. I want to put those on the record. The first is that the order of candidates in the folder, on the wall, on the ballot paper or wherever it might be will favour one candidate over another. Voters who choose to use the folders will be influenced by the order in which candidates are presented. I have mentioned already that the candidate first on the how-to-vote card will obviously have an advantage over candidates lower down.

Another concern is that it reduces the environmental benefit of the current ban. One of the important benefits of the original proposal is that we do not have how-to-vote cards in ACT polling places. Any environmental benefit resulting from the current ban on distributing how-to-vote material would be outweighed by the proposed requirements to

produce and display and then dispose of hundreds of pages of plasticised or laminated material. It cannot be recycled, because it has been laminated. It is going to undermine the environmental benefits of our how-to-vote ban.

It has also been put to me that there is no effective way of preventing tampering with how-to-vote material. Some members of the community may wish to deface or destroy how-to-vote material provided in the polling booth, whether for the sake of allegiance to a particular party or candidate or because they dislike the process or politicians or because they consider themselves comedians. The bill recognises this by creating an offence of tampering with a folder, but how effective is that going to be?

Are you going to be sure of catching the person who puts extra numbers on the how-to-vote folder? What happens when somebody comes forward and points out that there has been a folder in the polling place for three hours which people have been referring to and, lo and behold, at the end of the day when votes are counted at that particular booth, some 20, 25, 30, 40 or 50 ballot papers are filled out in that erroneous way? What does that do for the integrity of polling at that particular booth? The bill does not go far enough to provide safeguards commensurate with the seriousness of the risk.

The bill provides that the commissioner must make the folder available in a manner that minimises the risk of defacement, obliteration or removal of the material or folder. However, provided the commissioner takes reasonable steps to comply with these requirements, the election is not invalid. It is not clear what would be considered reasonable steps in the circumstances. That has not been defined in the bill. Even with the lamination, it is possible to mark the folders. When you mark the folders, you will have material, purportedly provided by the polling official, by the Electoral Commissioner, that will potentially confuse voters because it has inaccurate information. This is a very dangerous step.

Obviously the measures Ms Tucker has talked about would also add to the cost of elections. The cost would be higher because of the need to laminate or plasticise the pages for each of the 2,300 voting booths used in polling places in an ACT election. You would have 2,300 folders.

I have also been advised that fees charged under the scheme may have a discriminatory effect. In introducing the bill, Ms Tucker noted that the Electoral Commissioner will be able to charge candidates a fee for the display of how-to-vote material. In the absence of any further funding to enable the Electoral Commission to meet the increased costs, such a fee would need to be set on a cost recovery basis.

The commission has estimated that the implementation of the bill would cost around \$40,000. Therefore, the fee from the 10, 15 or 20 parties or candidates who might take advantage of it would need to be fairly high to ensure that costs were recovered. For example, in 1998 there were 41 groups and Independent candidates who would have been entitled to an A4 how-to-vote card under this bill. The cost per card would have been around \$1,000.

Alternatively, if the fee was charged per candidate, for the 108 candidates in 1998 the cost would have been around \$370 per candidate, which would have amounted to \$6,290 for each party fielding 17 candidates. We spent much time last night and yesterday

debating money that flows to political parties. I very much doubt whether parties paying over \$6,000 to the Electoral Commission for laminated folders inside each of 2,300 polling corrals is going to be a very good use of that money which is flowing to political parties as it is.

Another issue is the rejection by the commissioner of how-to-vote material. The bill provides that the commissioner may reject how-to-vote material submitted by candidates and groups, but it does not provide appeal rights where material is rejected. Where a candidate's or a group's material was rejected and where a candidate or group did not submit material for whatever reason—including, for example, the inability to pay the fee—that candidate or group would be considerably disadvantaged because of the absence of their how-to-vote material.

I would argue that there is also a discrimination against pre-poll and postal voters. The bill provides that how-to-vote cards are to be made available to voters at pre-poll centres from the fifth day before polling day. This would obviously unfairly discriminate against those who pre-poll during the first two weeks, when the material would not be displayed. In 1998, 26 per cent of voters voted at ACT pre-poll centres during the first two weeks of polling. Postal voters will also be denied access to these laminated cards.

In all the circumstances, members can see that there are fundamental flaws in what has been put forward. It undermines the concept of a ban on canvassing at polling booths. Its imposition would be costly. It would be detrimental to the environment. Most important of all, it would be a fundamental undermining of the integrity of the Hare-Clark electoral system. I think our system is a good system. It is going to produce fair elections in the future, as it has in the past. I do not think we are going to get advantage as a community from this new measure. It is going to complicate the process of elections. It is going to contribute to the cost.

Mr Wood: He is responsible for getting rid of the former Chief Minister more than anybody else. This is your system. You love it. It is the system that pushed the former Chief Minister out. You are to blame.

MR HUMPHRIES: In light of the fact that I am to blame for knocking off the former Chief Minister, I had better go upstairs and apologise.

MR STANHOPE (Leader of the Opposition) (4.00): The Labor Party will not be supporting this bill. The range of reasons that formed our decision are not quite as broad or as dogmatic as those of the government. We have decided not to support this particular proposal in the face of a view that the Labor Party has long held and argued for that election material should be available to people at polling booths. The Labor Party did not support the ban on how-to-vote cards and the Labor Party did not support the ban on canvassing within 100 metres of polling places. We opposed those initiatives quite strenuously. We opposed them for good reason. There are significant numbers of people who receive some assistance on polling day from the availability of canvasses and how-to-vote material. We argued strongly against the laws that were introduced to proscribe that behaviour.

Having acknowledge that that is what we did, the point at which I agree with the comments of the Chief Minister in explaining the government's opposition to this bill is that, whilst those particular bans remain in force, we do not believe that it is appropriate to take this step to provide for a single A4 sheet to represent the views or voting intentions of each party or to describe or explain the position a particular party will take. To that extent, I agree with the comments of the Chief Minister.

Under Hare-Clark—with Robson rotation, with a ban on how-to-vote cards, with a ban on canvassing within 100 metres—the electoral system has moved to a point where this particular proposal, in the view of the Labor Party, does not have the capacity to meet the need that Ms Tucker is allegedly seeking to meet by providing for a single A4 sheet of paper to be provided in each polling booth. It flies in the face of the system that is in place, the system that is embraced by certain people around the place.

The Chief Minister is right about the Hare-Clark system. To date, it has been embraced by the people of Canberra. It gives choice. It has some attractive characteristics. There are aspects of it that the former government delivers that I still have some issues with. I am still not convinced that in all instances it is an adornment to the democratic process, but to this point it has been embraced. The Robson rotation is an integral part of the system. Through this place, we have added to the system—I do not think we have adorned it—by banning how-to-vote cards and canvassing for votes at polling places.

We should look at those two initiatives before we take this other step of seeking to assist voters who have some difficulty in making a choice or casting a vote. It will not deliver a result or meet the stated purpose. It simply will not achieve the purpose Ms Tucker believes it can achieve, and the Labor Party will not be supporting it.

MR MOORE (Minister for Health, Housing and Community Care) (4.05): I will be opposing this piece of legislation. It misunderstands how the Hare-Clark system is supposed to work. The Hare-Clark system is designed specifically to allow for people who wish to do a party vote to have that vote distributed evenly. Somebody who wishes to do a party vote ought to write 1, 2, 3, 4, 5, 6, 7 under the party name. Somebody who wishes to support a specific candidate, say Mr Stanhope, no matter what position Mr Stanhope has, puts 1 next to Mr Stanhope. The other votes are distributed evenly. I believe that this method Ms Tucker proposes undermines that concept.

MS TUCKER (4.06), in reply: Mr Moore tells me that I misunderstand the Hare-Clark voting system, and that it will operate in the way it was determined to operate regardless of what the ACT community feels or wants to do. If people want some kind of guidance, they are not allowed to have that guidance, because Mr Moore has this purist theory about the Hare-Clark system, as does Mr Humphries.

Surveys were undertaken by the Electoral Commissioner at the 1998 election, which was the first election at which there was a ban on how-to-vote cards. Market research found that 37 per cent of voters said they found how-to-vote cards useful. At an exit poll on election day, 15 per cent of voters said they found it a problem that how-to-vote cards were not available to them.

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So a significant number of people in the community feel disadvantaged by the lack of how-to-vote cards. But never mind. They have been told they have to get over that and do the best they can. Mr Moore and Mr Humphries know that they should understand and be total devotees to the Hare-Clark system as it stands and therefore not require any advice.

Of course, we know damn well that the majority of political parties and Independents will be putting out their own information about how they want people to vote, and they will be making it quite clear to voters what their preferences are. Clearly, people are interested to know, especially with Independents. You have no idea what you are getting with an Independent, so people are interested to know whether those they would be supporting are more inclined to be Labor or Liberal. It is very confusing.

Mr Kaine: You do not know even after you have got them.

MS TUCKER: I know. They can be unpredictable, but that is another issue. Mr Humphries also seemed to misunderstand our view. He was implying, as he held up this sheet, that it was going to be plastered all over the polling booth. I think he later contradicted himself. He said that the folder would be dangerous for the environment because it would be covered in plastic. There is such a thing as recyclable plastic, Mr Humphries. You were minister for the environment once, I believe. You might remember that. There is such a thing as recyclable plastic, so that could be accommodated if the will was there.

Mr Humphries was also very concerned about the cost. I had not heard that cost before, but even taking that cost, if it is correct, I do not believe that it is such a terrible disadvantage or that it introduces a bias. There is already a bias in the system. One of the biases is for Independents. They do not have the people power that the larger parties have to do the letterbox drops and so on. This is a way for a less-resourced person to have that information if people are interested. Hopefully, people would be interested to know what exactly Independents stand for. It is their choice. I have to stress that. Mr Humphries seemed to be suggesting that we were forcing people to put particular information on their A4 sheet. That is not correct, if you look at the bill.

Mr Stanhope seems to want more than an A4 sheet. I do not know what I can say about that. The Labor Party will do plenty of campaigning, I am sure, and let the community know what they stand for. It just would not be practicable to give more space than the folders.

The Liberals' position is interesting. At one point they seemed to be supporting this. The select committee that reviewed the recommendations of the Pettit report recommended that the present ban on how-to-vote cards at polling places remain. However, it did note that the ALP supported the reintroduction of how-to-vote cards, that the Greens supported the provision of how-to-vote cards inside polling places, and that the government supported provision of how-to-vote cards in polling booths, subject to the ban outside polling booths being maintained. But the government obviously has a different position now, and they seem to be quite confused about what their position is.

I remind members, especially Mr Moore, because he does like to talk about Mr Pettit, that the Pettit Review of the Governance of the Australian Capital Territory, released in early 1998 recommended :

... voters should be able, if they wish, to obtain how-to-vote cards at polling places; such cards should be available in each polling place, even if the ban on distributing them outside is maintained.

This bill was the result of a lot of discussion. We know that people will want to communicate this information to the ACT community. You have this information available only if people want it. The bill was clearly and carefully put together. We worked with the Electoral Commission when we came up with this bill, to make sure that it was well put together. It was developed in consultation with the Electoral Commission. They provided us with professional advice on the practicalities of conducting elections. So we certainly made an attempt to ensure that this was well thought out.

Mr Humphries' other argument seemed to be that there was a terrible danger of defacing the material on how to vote. Is he implying that the electoral officers and people at the polling booths who are employed to assist are not going to be able to take on that task? I think that would be fairly concerning. If this place supported this law, which it obviously is not going to, and supported this opportunity for the community to have access to information, if they should choose to have such information—a basic right, I would have thought—and there was the problem Mr Humphries has alluded to, he would have to do something about that. He would have to make sure that the Electoral Commission was appropriately resourced to support this legislation being able to work properly. I would have thought that would be a responsibility of government, no matter what the law was. It clearly is not the case that they do it very well.

We had a discussion on bike helmets at question time. It is not a reason to say that you do not do something. The onus is on the government to ensure that the officers concerned are properly resourced and supported to ensure that such problems do not occur.

It is clear we are not going to get support for this bill, but I think it was an important point to make on behalf of the community, particularly those members of the community who would like to be able to access that information. I think it would save paper, if anything. It would reduce the necessity for parties and Independents to spend so much time putting out this information.

Question put:

That this bill be agreed to in principle

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The Assembly voted—

Ayes, 1

Noes, 16

Ms Tucker

Mr Berry	Mr Moore
Ms Carnell	Mr Osborne
Mr Corbell	Mr Quinlan
Mr Cornwell	Mr Rugendyke
Mr Hargreaves	Mr Smyth
Mr Hird	Mr Stanhope
Mr Humphries	Mr Stefaniak
Mr Kaine	Mr Wood

Question so resolved in the negative.

TOTALCARE—TRANSFER OF ASSETS, ACTIVITIES AND SERVICES

MR BERRY (4.17): I move:

That this Assembly requires that no transfer of government assets, activities or services to Totalcare occur without prior approval of the Assembly.

Mr Deputy Speaker, the motion speaks for itself. This Assembly requires that no transfer of government assets and activities or services to Totalcare occur without the prior approval of the Assembly. That is a principle that we have adopted in relation to other matters in this place. In fact, we debated the issue of Actew and the amalgamation. So that principle of requiring the prior approval of the Assembly is one that we have embraced in this place before. It would be disingenuous to say otherwise. Mr Deputy Speaker, this is about our concern about assets, services and activities which the government provides in the ACT that in the past have found their way either to privatisation or to some sort of deconstruction, if you like, of services which have not found the confidence of the government.

I want to talk to you about a few things that are of concern. I am concerned that the government will move at some time, or could move, to transfer remaining government services to Totalcare. If you have a look at what has happened to Totalcare with its corporatisation of services, assets and activities which are being transferred to Totalcare, you get a fairly disturbing picture. So far about 150 jobs have been lost. The units, of course, were ACT Fleet, and that went to Macquarie at one stage, and 75 jobs went from building maintenance, on my information. In the second review 45 jobs went in engineering/maintenance.

Of course, there has been a lot of casualisation. Survey, two years ago, was transferred to Totalcare. It now no longer is in existence. After the purchase of some significant low-loaders and heavy equipment, ACT Fleet and Heavy Haulage was sold. Fleet Welders was sold. All of these things were transferred to Totalcare with all sorts of guarantees about their future. There were basic guarantees about no loss of conditions.

Have a look at what has happened with City Parks, City Operations, CityScape, or whatever you like to call them, depending on the time you seek to describe them. They were transferred to Excel. A whole heap of jobs have been lost there. What remains in government is under Urban Services at this point. I am particularly concerned that that may well be vulnerable for transfer to Totalcare. So we have this situation where the possibility of transfers to Totalcare remains an issue of concern.

What about ACTION buses? I know that in the course of debate today ministers will climb up and say, "Paranoia. Not on the agenda." Well, I remember that just before the last ACT election the then Chief Minister, the now disgraced former Chief Minister, was asked, "What about the sale of Actew?" "Not on our agenda," she said. In only a matter of days, or hours even, all of a sudden it found its way back onto the agenda.

What this motion sets out to do, Mr Deputy Speaker, is to require the government to come back to this Assembly with its ideas for transfer of these activities to Totalcare. The opposition is dissatisfied with the events which have occurred in Totalcare, such as the loss of jobs, the constant pressure and the lack of security which workers in Totalcare have been exposed to since the transfer of building maintenance and so on to Totalcare some time ago. There has been extensive casualisation. There has been an undermining of security. That is not the way to run a business which has its employees' interests at heart.

Mr Deputy Speaker, this is a straightforward motion. It doesn't need much debate. I will go back to my original point. This is a principle that has been embraced in this Assembly before; that is, that this Assembly ought to make the decisions about the transfer of assets and asset services and activities which are part of the core arrangements for government.

If you look around town and look to the community for advice in relation to service provision throughout the city you will find that there is a great deal of concern about things like roads. You know, the old routine—rats, rates, rubbish, lawns, parks and all those sorts of things. You name it. There is concern about general issues for which the ACT is more or less famous.

Mr Deputy Speaker, I urge members to support this motion. I will say again, at the risk of being tedious, that this is a straightforward motion that merely puts the decision back in the lap of this Assembly should the government decide to do so, and it would prevent the government taking action over the Christmas break without consultation with any of the organisations and workers in those organisations. It will give a feeling of security to workers. They will know that if anything is going to happen to their workplace in relation to transfer or disposal via Totalcare, then the debate will have to happen in this place. It will have to be an open debate rather than one in which we try to catch up protection for workers after the event.

I don't want to go through that process. I don't want to expose workers to that process. I want to make sure that there is some security out there in the workplace so that workers fully understand and recognise that members in this Assembly have some concern for their future, and are prepared to have open debates about their future should the need arise. I commend the motion to the Assembly.

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MR HUMPHRIES (Chief Minister, Minister for Community Affairs, Attorney-General and Treasurer) (4.25): Mr Berry tells us that this is a straightforward motion and that it is self-explanatory. It speaks for itself, he says, and there shouldn't be much debate before passing it. Those words are an acknowledgment that it is none of those things. This motion does require debate because it is obscure and does not address the issue that Mr Berry apparently wants to get to.

Mr Berry has raised issues about loss of jobs at Totalcare, and he has raised issues about governments moving on issues without adequate consultation. These are reasonable issues to debate. It is appropriate to have a debate about those things if Mr Berry wants to do that, but those are not the things that are reflected in his motion.

This motion seeks to do something entirely different. It says that the Assembly should not permit the government—it doesn't just recommend, it requires—to move any assets, activities or services to Totalcare without the prior approval of the Assembly. What exactly is Mr Berry concerned about? Is Mr Berry concerned about us being intending to privatise Totalcare, or parts of Totalcare?

Mr Berry: No, no. Don't try to muddy the waters, Gary.

MR HUMPHRIES: Well, if he is not concerned about that, Mr Deputy Speaker, and of course he should—

Mr Berry: I am concerned about that, but not in relation to this motion.

MR HUMPHRIES: Well, he is concerned about it, he says. He is concerned about the government privatising Totalcare, or parts of Totalcare. Let me put on the record first of all that the government has no plans or intentions to privatise Totalcare. Even if it had such plans or intentions, Mr Deputy Speaker, as we know, the government cannot do that without coming back to this Assembly.

Mr Corbell: Legislation that you opposed, actually, at the time.

MR HUMPHRIES: Irrespective of whether we opposed it or not, it is now the law of the territory and we have not indicated any reluctance whatever to comply with that law. We know that it is the law; we will comply with it. So what is the point? It seems to be preventing the government taking any steps which might ultimately contribute to the provision of a motion on the floor of this place to privatise Totalcare.

Mr Deputy Speaker, I listened to Mr Berry's speech carefully and I did not understand what he was getting at. I suspect that other members of this place are equally mystified. I think we need to make sure that we have a clear explanation of what it is that Mr Berry is trying to do. If Mr Berry is saying, "We think the government is up to some kind of nefarious trick. It's got some devious plans, cunning plans, worked out for Totalcare which it is not telling us about. We want to head it off at the pass by putting in place this motion," I would say to the Assembly that there ought to be some evidence put before the Assembly by Mr Berry to indicate what those plans are supposed to be.

I say to the Assembly, Mr Deputy Speaker, in unambiguous terms, that there are no such plans. I can assure Mr Berry of that. Cunning or otherwise, there are no such plans. That being the case, what is the point of putting this restriction on Totalcare? It is not proposed for any other part of government. It doesn't affect Actew, ACTTAB, or any of the GBEs or any of the TOCs. It affects only Totalcare, and no doubt will be used, in particular, Mr Deputy Speaker, as ammunition for Mr Berry to go out after today and say, "The Assembly stopped the government's plans to privatise Totalcare. We have headed them off at the pass. We knew what they were up to, and the Assembly has moved to stop them."

Mr Deputy Speaker, the fact is that there are no such plans, and the purpose of this motion is, therefore, completely unclear. If it was just Mr Berry being hairy-chested and showing us that he is really in favour of protecting this valuable asset Totalcare, that he will anticipate the secret plans of the government by taking this step to somehow prevent the government doing what it is planning to do, it is not clear how this is supposed to occur. How is this supposed to stop the government from doing this anyway? It really isn't clear to me. But, okay; there is some secret plan which he has not told us about which he wants to anticipate by this motion. If that was all he was doing, simply firing a shot across the government's bows, there might be some point in the motion. I would concede that at a very great stretch.

But what this motion does is much less innocuous than that. What it does is restrict the flexibility that the government might otherwise have to deal with the business which is Totalcare in periods when the Assembly is not sitting. For example, Mr Moore might want to speak to this later in the debate, but Totalcare from time to time bids for the work of other agencies of government. Totalcare is a government business; it is a business enterprise. It goes out and it bids for work in the private sector and the public sector. It bids for work from agencies of the ACT government. On this motion, if Totalcare were to win a bid for government work, it would not be able to accept it until the government could come back to the Assembly and seek the approval of the Assembly for that to take place. Now, what is the point of that, Mr Deputy Speaker?

Let us suppose that Totalcare goes out and wins a contract to provide services to ACT Housing. That would be expressly excluded by the terms of this motion, would it not, Mr Berry?

Mr Berry: What was that?

MR HUMPHRIES: If Totalcare went out there and won a contract to provide services for ACT Housing, an agency of the ACT government, as I read your motion it would be prevented from doing that until the government came back to the Assembly and passed a motion to have approval for that to take place.

Mr Berry: Why would that be the case?

MR HUMPHRIES: Because, to answer your question, your motion says, "This Assembly requires that no transfer of government assets, activities or services to Totalcare occur—"

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Mr Berry: Oh, don't be silly. You are reading into it something that's not there. Stop that nonsense.

MR HUMPHRIES: Well, you tell me what it does mean. What government services or activities could be transferred to Totalcare that would not be covered by your motion?

Mr Berry: Of course they could do building maintenance because they contract to do it.

MR HUMPHRIES: But it's not within the contract.

MR TEMPORARY DEPUTY SPEAKER (Mr Hird): Order! Mr Berry, you will have the right of reply.

MR HUMPHRIES: Mr Berry has shown a resistance on earlier occasions to accept the implications of things that he moves in this place. I ask him to think very carefully about this because on my reading of that motion it makes it perfectly clear that Totalcare would not be able to win a contract and accept a contract to provide services or to undertake new activities pursuant to a contract—

Mr Berry: That's rubbish.

MR HUMPHRIES: That's what the motion says.

Mr Berry: It does not.

MR HUMPHRIES: It says "no transfer of government assets, activities or services". If they win a government contract to provide services to government, they cannot do it without us coming back to the Assembly.

Mr Berry: I will explain what it means and then you can—

MR HUMPHRIES: Well, I am reading the simple words as they appear there.

Mr Berry: No, no; don't read into it what's not there.

MR HUMPHRIES: Mr Temporary Deputy Speaker, all I can say is that if services by Totalcare to the ACT government—

Mr Berry: No, no.

MR HUMPHRIES: May I please be able to finish my sentence, Mr Temporary Deputy Speaker?

MR TEMPORARY DEPUTY SPEAKER: Order! The Chief Minister has the call, Mr Berry.

MR HUMPHRIES: Services to ACT government. I assume he means services by government. I assume he doesn't mean the federal government; he means government of any description, including the ACT government. If services to ACT Housing are not services to government, therefore government services, then what are?

Mr Berry: You are at it again, Gary. I'll explain later.

MR TEMPORARY DEPUTY SPEAKER: Order! Chief Minister, address your remarks to the chair. Mr Berry, you will have the opportunity to close the debate and to respond.

MR HUMPHRIES: Mr Temporary Deputy Speaker, that appears to me, on what I think is a perfectly reasonable reading of the words of this motion, to be the effect of it. Mr Berry may have a different interpretation of the words, but the reality is that that is not what the words, simply and plainly written down, actually mean. They mean that there cannot be an acquisition by Totalcare of government services without prior approval by the Assembly.

Mr Berry: That's not true. No court would find that.

MR HUMPHRIES: That is what the words actually say. If that is the case and there were to be—

Mr Berry: Here we go. Let's hear it again.

MR HUMPHRIES: Mr Temporary Deputy Speaker, I appeal for your assistance. I haven't got a single sentence out here without Mr Berry interrupting. I think it is appropriate that this debate be conducted with the capacity for me to make this point. Mr Berry doesn't like what I say, but the fact is that he has yet again come into this place and got it wrong. He has had motions and bills before this place which are poorly thought through, and he reacts badly to criticism of them by saying to people that they are talking rubbish, that they are misleading the Assembly, and that they are making things up. He comes back quietly some weeks afterwards and he quietly concedes that actually they were right, and he amends his motion or acknowledges the problem.

Mr Moore: Or we have to try to fix it up.

MR HUMPHRIES: We have to try to fix it up subsequently. He has done this before, Mr Temporary Deputy Speaker, and today is an example of that again.

I want Totalcare to operate as a business in the marketplace. That is the job Totalcare has been given. The job, among other things, is to win business.

Mr Berry: And they still will be encouraged to do so.

MR TEMPORARY DEPUTY SPEAKER: Mr Berry, you will write history in a moment, sir. I will not speak to you again.

Mr Berry: A point of order, Mr Temporary Deputy Speaker—

MR TEMPORARY DEPUTY SPEAKER: Sit down, Mr Berry. Sit down.

Mr Berry: No, I am taking a point of order.

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MR TEMPORARY DEPUTY SPEAKER: You have no right. I don't recognise you on the point of order. Sit down. Let the Chief Minister finish his address. Now, I will listen to you, sir. Chief Minister.

MR HUMPHRIES: Thank you, Mr Temporary Deputy Speaker.

Mr Berry: You are loud today, Mr.

MR TEMPORARY DEPUTY SPEAKER: You need to be sometimes, sir.

MR HUMPHRIES: It is true that jobs have been lost from Totalcare.

Mr Berry: Is he a foghorn or a leghorn?

MR TEMPORARY DEPUTY SPEAKER: You will be dealt with, sir, if I have to—

MR HUMPHRIES: I don't know what to do. There hasn't been a single sentence I've uttered without being interrupted.

MR TEMPORARY DEPUTY SPEAKER: Sit down, Chief Minister. Mr Berry, if I have to address you again I will deal with you. Chief Minister, you have the call.

MR HUMPHRIES: Thank you, Mr Temporary Deputy Speaker. It is true that jobs have been lost from Totalcare. They have been lost because Totalcare has lost contracts in competitive tenders. They have fought for work and they have lost that work. It is a matter of great regret to me that that is the case. Some of that work has been work, I understand, in the private sector; some has been work in the public sector; some has been work for the ACT government.

I don't want Totalcare to lose a single contract more—not one more if I can avoid it. Passing this motion today is a recipe for ensuring that Totalcare is ineffective in being able to make bids for work because if it wins a contract for government services or government activities, and pursuant to the motion that Mr Berry has moved today—I have asked members to read the words “no transfer of government assets, activities or services to Totalcare”—the government can't get back to the Assembly quickly enough to approve passage of a motion to allow that to take place, it might lose that contract. If members of this place want to take that risk they should pass Mr Berry's motion.

Mr Berry says that the principles underpinning this motion have been approved before by the Assembly. They have never been approved by the Assembly in this way. The Assembly has affirmed the principle before that the government should not be allowed to divest assets from public ownership without prior approval by the Assembly. This is not divestment of government assets in any sense of the word. In fact it is the transferring of assets or activities or services from one part of government to another.

If Mr Berry's conspiracy theory is accurate, if there is some nefarious plan on the part of the government being hatched in the bowels of the bureaucracy to effect a sale of Totalcare, what can the transfer of assets to Totalcare achieve? Does Mr Berry imagine that members are going to be so spooked by the fact that there are all these assets now sitting in Totalcare that they will say, “Oh, we can't possibly stop the sale of Totalcare;

we will have to support this motion to allow the sale of Totalcare"? It's a nonsense. (*Extension of time granted.*)

I thank members. This is not a principle that the Assembly has debated before, and if the Assembly takes this step why shouldn't it be limited to other areas of activity as well? Mr Berry has postulated, without any evidence whatsoever, that there is a plan to get rid of Totalcare. Why shouldn't he postulate the same about any other area of government, Actew, ACTTAB or anything else in the ACT government, and pass a similar motion? And if we have done it once, why wouldn't we do it in those cases as well, based apparently on the say-so of Mr Berry that there is some threat to Totalcare if we do not pass the motion?

Mr Temporary Deputy Speaker, this is just stupidity. It is nonsense. I ask members not to do this. If they pass this motion it will potentially cause Totalcare to lose contracts. We cannot afford for that to happen. This is not a principle that the Assembly has embraced before. It has never done this before, and it shouldn't start to do it today.

MR CORBELL (4.42): Mr Temporary Deputy Speaker, this is an important motion. It is important in the context of the government's continuing strategy of seeing government purely as a business to be performed in the marketplace like any other business. Not only is that philosophy fundamentally flawed; it also is one which does not reflect the broader aspirations of the Canberra community. Canberrans want government that provides services effectively and efficiently, certainly, but also in a way which is accountable and in which they feel they have ownership and control of them. Canberrans know that services that are contracted out, services which are privatised, run the real risk of losing a level of accountability they previously had and that it does not always result in better service delivery.

So what Mr Berry is saying today with his motion is that we are not convinced as an Assembly that this government should continue to transfer government functions to an organisation run along private sector business lines without the government coming to this place. That is what we are saying today.

The reason why we are saying that, Mr Temporary Deputy Speaker, is because we know that when a government shifts a function of government from a government department to an organisation like Totalcare we will see a diminution of public accountability and that in many respects the move is a precursor to eventual sale. No-one said it better than the architect of national competition policy, Professor Fred Hilmer. He said, first of all, that any government service is a possibility for privatisation. He left that door open. But then he said that prior to any privatisation it should be subject to a reform process.

Now, what does the reform process mean? The reform process means making it work like a private sector entity, like a private business. How do you achieve that in Canberra? Well, the way you achieve that is you take a function previously delivered by government and shift it into an organisation like Totalcare. You do that because Totalcare is required by law to operate like a private sector company. Then you can say to this place and to the broader community, "Well, they just run it like a private sector company anyway. Surely we should ask other private sector companies if they can do the same work that Totalcare currently does for us." Before you know it, it is not even run by the government any more; it is privatised. That is why Mr Berry has moved his motion

today—because we do not want to see that happen. We do not want to see a further diminution of community accountability for the delivery of services.

The Chief Minister made the point, ill-informed as it was, that he felt this would constrain Totalcare in its normal business activities. Well, that is patently false. It is patently false because the motion is quite clear and explicit. It says the Assembly “requires that no transfer of government assets, activities or services to Totalcare occur without prior approval of the Assembly”.

The important word here is “transfer”. Transfer from a government agency to Totalcare does not mean award a tender from an agency to Totalcare; it means to physically transfer that function, or that asset, or that service from a government agency to Totalcare so that instead of the government agency running it Totalcare runs it.

A tender is not about who runs it. It is about who delivers it. When we talk about lawnmowing in the city we all know that that has been tendered out in a number of respects to a private sector company, Excel. But who is still responsible for lawnmowing in Canberra? The Department of Urban Services. Even though they have a contractor, Excel or CityScape, who does the physical work, who is responsible for it? Who has responsibility for that function? The Department of Urban Services. So that is the difference, Mr Temporary Deputy Speaker. It is a fairly simple difference. This motion is not about not allowing Totalcare to bid for work from the government or the non-government sector, but it is about saying we will not want this government to shift any responsibility for the delivery of a service or to transfer any asset or activity to Totalcare without our approval. So the nonsense that the Chief Minister presented is just that, nonsense.

This motion does not restrict Totalcare in its business operations. What it does do is far more important. It says to the government that we are not prepared to continue to accept this backdoor, slowly creeping strategy towards the privatisation of government services, facilities, assets and activities. We will not allow the government to use a backdoor method to set up a government function so that it can be justified for privatisation down the track. That is what this motion is about. Every member in this place should be prepared to support it because it says once and for all that the government is going to have to justify it if it believes something should be run in Totalcare rather than being delivered by the government direct.

MR MOORE (Minister for Health, Housing and Community Care) (4.50): Mr Temporary Deputy Speaker, that might be the intention of the motion but that is not what the motion does.

Mr Berry: Oh, come on.

MR MOORE: I hear Mr Berry say, from outside the chamber, “Now, cut that out.” Mr Temporary Deputy Speaker, there have been a number of occasions previously when the government has warned Mr Berry about the ramifications of a motion where the legislation—

MR TEMPORARY DEPUTY SPEAKER: Mr Moore, will you address your remarks to the chair?

MR MOORE: We have warned him about the ramifications of legislation or motions, and they have come to pass. Mr Temporary Deputy Speaker, I would like to give a couple of examples as to why it goes beyond—

Ms Tucker: This is the man who made the amendments last night to the Gambling Act without me getting even to look at them.

MR MOORE: Just as you voted no then, Ms Tucker, I presume that you will follow the precautionary principle and vote no here as well.

Ms Tucker: I have had this motion—

MR TEMPORARY DEPUTY SPEAKER: Order, Ms Tucker! Minister, address your remarks to the chair.

MR MOORE: Let me give a couple of examples of how this may have an impact. We know that at the moment there is a tender out with regard to maintenance within Housing and, as I understand it, Totalcare is one of the tenderers. Mr Berry says that this motion will not affect it, but of course it will. Let us take two examples, if Totalcare wins and if Totalcare loses. If Totalcare loses there is no attempt to transfer any of those services to Totalcare. My understanding is that they are currently providing these services, so there would be an attempt to remove them. I do not think that is covered by the motion. If they were to win the tender we would have to transfer to Totalcare anything not done now by Totalcare. I am not privy to what exactly is in that tender. I know there is a tender going and it is about total asset management, but it is an issue for us.

Let me give another example about the hospital. There are a number of things that the hospital puts out to tender very regularly. At the moment I know that Totalcare does a great deal of work for the hospital. For example, the sterilisation of surgical equipment is done by Totalcare. The linen and the equipment that is used in operations is cleaned and washed by Totalcare. It may well be that we have another area of service in the hospital that we want to put out to tender. Tenders go out regularly. A range of tenders are being put out by a hospital business that spends more than \$200 million a year, although that includes salaries as well, of course. There is quite a strong possibility that Totalcare will win. We would expect it to win a contract of this type. Having won that contract they would not be able to accept it unless through a motion of the Assembly. Of course, the people considering that tender would need to take such a motion into account. Mr Corbell put very clearly the intention of the motion, but I think the ramifications of the motion are much broader.

There is another interesting thing. The motion does not say the transfer of ACT government assets or services; it says the transfer of government assets.

Mr Corbell: What other government are we talking about? The United States government? For heaven's sake.

MR MOORE: We may be talking about the federal government, or we may be talking about the New South Wales government, because this Assembly has charged Totalcare with becoming a business enterprise. As a business enterprise, we expect it to tender.

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I think what we are looking at here is a motion that perhaps has a particular intention of stopping privatisation, but we know that Totalcare is established under legislation. If you want to stop privatisation you oppose the legislation. That is how you do it, not by means of these silly motions of Mr Berry's.

Mr Temporary Deputy Speaker, there is a very clear difference between what Mr Corbell describes as the intention of the motion and what, on the other hand, are the ramifications of this motion. When I heard Mr Corbell speak about his interpretation of "transfer", he implied—maybe I will review the *Hansard*—that he had no particular objection to the wholesale outsourcing of activities to the private sector, and I cannot believe that to be the case, not from Mr Corbell. I will review the *Hansard* on that and see if that really is the case. It seems to me, Mr Temporary Deputy Speaker, that this motion simply is intended to stop privatisation, although we do that by legislation.

Secondly, this motion goes well beyond what its original intention was. I will come back to the word "government" which you got so upset about. If there are services of the federal government that Totalcare wins—

Mr Berry: Oh, go away.

MR MOORE: Well, this is what this motion says, Mr Berry. You can see it. If Totalcare wins it first has to have approval of the Assembly, because you have the word "government" in lower case. If you want to move an amendment to make it say "ACT Government", that would resolve one of the small problems associated with this motion.

Mr Berry: How would we resolve the other one and make you happy?

MR MOORE: That would resolve only one of the problems. The thrust of what you are doing is at an inappropriate spot to do it. If you want to do it you do it in legislation. Totalcare is protected from privatisation by legislation, just the same as Actew Corporation was protected. Legislation had to come into this Assembly in order for it to be privatised. This motion is not necessary. It does not achieve anything that you want it to achieve. What is more, it creates a whole series of other problems for an organisation that this Assembly supported legislation saying that it needed to operate like a business.

MS TUCKER (4.58): Mr Berry's motion has raised an interesting issue about Assembly involvement in the transfer of government assets to territory owned corporations. The Assembly already has a significant role in determining the operations of territory owned corporations. Under the TOC Act, the Assembly has the chance to vote on the establishment of a territory owned corporation, as the government would need to amend Schedule 1 of the act to list the new corporation. The Assembly also needs to approve the disposal of a TOC-made undertaking or of a subsidiary of the TOC.

It does seem consistent with these provisions of the TOC Act for the Assembly to be able to give its approval to a transfer of government assets or services to a TOC. However, there does not appear to be any formal requirement in the act for the Assembly to approve the transfer of assets from the government to an already established TOC. Presumably such a transfer would have to be included in the government's budget, but the Assembly has very limited opportunities to change the budget if it does not like the transfer of such assets.

Mr Berry has particular concerns about the transfer of government assets to Totalcare. I have also a concern about the commercialisation of government services that is implied by this type of transfer. His motion to require the government to seek the prior approval of the Assembly for the transfer of assets to Totalcare seems an appropriate mechanism for allowing the Assembly to give more direct consideration to this issue.

In response to Mr Moore's argument for Mr Humphries' arguments that we have just heard, they are both crying foul because they are saying that passage of this motion will prevent the tendering processes that can occur. Mr Moore has just gone into some detail to describe a couple, in particular, from the hospital.

As with any debate in this place, if there is something unclear about a particular motion or legislation, it is the interpretation of it. To clarify what happens, whoever is there to clarify it or interpret it, whether it is a court or whoever, goes to the debate that occurred in this place by the members of the parliament who supported the legislation or motion. What has been made quite clear by Simon Corbell, and I understand it will be made quite clear by Wayne Berry—this is my understanding of this, and I want that on the record—is that this is not about tenders. That is absolutely not the intention of this motion. For that reason I will support it.

If Mr Moore and Mr Humphries are going to go away from this place and say, "You have just stopped tenders," that will make a farce of this whole process, because the person who put up this motion and the people who support it are saying that they understand this is not about tenders. So if the government says, "You just stopped a tendering process," they are just being bloody-minded and playing politics with it. That is their right, but it will be quite clear that that is what they are doing.

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

MR KAINE (5.01): For the last couple of hours I have been trying to satisfy myself in my own mind as to what Mr Berry's motion means and to what it is directed. I am not certain of what the motivation is. The motion talks about no transfer of government assets, activities or services. I thought Mr Berry might give some examples of the sorts of assets, activities or services he might have in mind which the government might wish to transfer to Totalcare, and why he might think they would want to transfer them. Without that clarification I am still uncertain as to what the motion is about.

I thought it might be that Mr Berry is aware that certain assets or government functions might be transferred to Totalcare to make it more attractive as a privatisation proposition or to enhance its potential for privatisation in some way, but, frankly, I cannot think of one. It is not as though Totalcare is actually a saleable commodity. It has never exactly been a money raiser, a money spinner. It took some years after it was turned into a statutory authority to break even, and it has done very little but break even since.

In fact, at the Estimates Committee last year I asked the representatives from Totalcare what their plans were for turning themselves into a money-making entity, and whether they had a forward strategic plan through the implementation of which they would

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become a more profitable organisation. I must say that I was somewhat concerned at the responses to those questions because there didn't seem to be a forward plan, nor even the understanding that such a plan might be necessary. It is not an organisation that I see as having the potential for doing an Actew and returning a significant amount of money to the ACT consolidated revenue.

So I do not have an understanding of what assets, activities or services Mr Berry thinks might be in the minds of the government for transfer, or the purposes for which he thinks they might want to transfer them. Given my own understanding of Totalcare and how it operates, and what kind of an entity it is at the moment, I do not think there is much justification for any concern on Mr Berry's part at all.

I think, as Mr Moore suggested, that there are other ways of dealing with this. If it were to appear that the government had some plan to realise on the asset that is invested in Totalcare, although I am not too sure what it would realise as an operating entity, if there were genuine concerns based on real information that the government had such a course of action in mind, I think the Assembly could take appropriate steps to make sure that if that were to be done it should be done in a proper way, if it were to be done at all. I am not satisfied that the effect of this motion, if it were to pass, would be anything worthwhile. For that reason, and because of my doubts about it, I will not support the motion at this time.

MR BERRY (5.05), in reply: Mr Humphries said they had no plans about assets that might be disposed of, or privatisation. That has an ominous ring to it because I remember the former Chief Minister saying that the sale of Actew was not on the agenda before the last election. But it was not long after that that something happened. When Mr Humphries said he had no plans, I thought to myself, "That sets the alarm bells ringing." So, Mr Temporary Deputy Speaker, that is one issue of concern that I think needs to be talked about.

Both Mr Moore and Mr Humphries came in here and argued that there was a long record of my putting faulty matters before this Assembly and that is why members ought to be cautious. I will give you two examples of where the government used the same old argument—that these particular proposals are faulty.

One was my move to restore the right to prosecute under the occupational health and safety legislation. That was argued to be faulty by the Attorney-General in a very dishonourable way. It was argued in a way that does not suit the standard usually set by his profession. Interestingly enough, that move got through with the support of this chamber. People have now been charged under the provisions which I put forward in this place.

Mr Temporary Deputy Speaker, another one that I raise is the issue of the establishment of the independent Occupational Health and Safety Commissioner. That was said to be faulty. That was supported by this chamber and that instrumentality has been set up. I have no doubt that the government will be doing its darndest to try to demonstrate in some way that there was something wrong somewhere along the way with those issues.

Mr Moore: What about the cleaning industry long service leave bill?

MR TEMPORARY DEPUTY SPEAKER: Order! Mr Berry, you have the call.

MR BERRY: Mr Temporary Deputy Speaker, the cleaning industry long service leave bill was opposed in principle by this government because they said it was not necessary. It has proven to be necessary. It was supported by this chamber. It is now in place and will be providing services to cleaners notwithstanding.

Mr Smyth: Notwithstanding that it needs amendment; that it doesn't work.

MR TEMPORARY DEPUTY SPEAKER: Order! Mr Smyth, order, please. Mr Berry, address your remarks to the chair, please.

MR BERRY: Mr Temporary Deputy Speaker, if you would stop interfering and interrupting me I would get a chance to direct some remarks to somebody, even you.

MR TEMPORARY DEPUTY SPEAKER: Thank you, sir.

MR BERRY: The government goes on these searches for small amendments to try to prove a point. Of course, the government never, ever, has to come back in here and amend something it has done wrong!. No, not ever. Not ever. It never happens. They are never wrong—Bruce Stadium, the futsal slab, the Floriade fee, Feel the Power, the V8 car race. They are never wrong. They never get it wrong at all.

Mr Kaine asked me to draw into focus some issues that might be of concern. Let me say first of all in this debate that this is not about the privatisation of Totalcare. Let's wipe that off the agenda straightaway, and let's not be distracted by that argument. It is not part of this debate. This is about the transfer of ACT government assets. There has been a play on words. The motion hasn't got ACT in it, so it might mean the United States government, or the Russian government, or something like that that Totalcare is actively pursuing. This is about the transfer of ACT government assets, ACT government activities, or ACT government services to Totalcare. That is, the ownership and control of them to Totalcare. Do I have to explain that? I think that is pretty clear to everybody.

If the government seeks to be bloody-minded about this and try to pretend that this is something other than what it is, they will be reminded of it shortly thereafter. If they go out there and say, "No, this means that Totalcare cannot tender any more," or they rush off and get a tame legal opinion that says, "This means that Totalcare cannot tender any more for government work," well, they are misleading everybody concerned. No, this motion has nothing to do with the business activities that Totalcare is now involved in, and will continue to be involved in. I will say this to make it very clear: it is not intended to upset the business activities that Totalcare is normally involved in at all.

The wording of this motion is clear. No transfer of government assets—that is, buildings, vehicles, tools, et cetera—activities performed by the government currently, or services provided by the government—that is, not services that are provided by Totalcare. So this is not about preventing Totalcare from securing contracts. That has been a mischievous play on words designed to undermine a motion which the government really doesn't have an answer for.

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Mr Kaine raised the issue of what things should we be concerned about. I will give you some examples, Mr Kaine. First of all, I will go to some of the issues which give rise to concern for any of these sorts of things—that is, assets, activities, and services that might be transferred to Totalcare. What has happened to them in the past, for example. You probably would be aware of some of these things.

ACT Fleet apparently has lost 75 staff. No, I'm sorry; I think building maintenance has lost 75 staff. Forty-five jobs have gone from engineering/maintenance. They were transferred to Totalcare and then, because the enterprise then decided to contract them out, the jobs went. Roads cut 23 to 25 jobs. That was transferred to Totalcare. They are now understaffed. The fleet welders went to Totalcare. That now has been put out into the private sector. ACT Fleet heavy haulage. You know those great big long low-loaders they had? That has been sent out and they have been sold off.

What this motion sets out to do is to ensure that when there is going to be a transfer of a service, say like Yarralumla Nursery to Totalcare, say like ACTION buses, say like CityScape, it has to be approved here first. This is not about interfering in Totalcare's contracting arrangements which they are routinely involved in. In fact, we support their continuity and growth. This motion does not interfere in them in any way.

So, Mr Temporary Deputy Speaker, let's put aside those silly arguments which seek to undermine the purpose of this motion. This is about giving a sense of security to workers out there in at least those three government agencies that I have mentioned to you, Yarralumla Nursery, ACTION buses and CityScape. They involve assets, activities and services, and they are the sorts of things that I have in mind. I do not want to see those sorts of things transferred to the control of the enterprise Totalcare without the approval of this Assembly, because those three enterprises, for example, are matters which many members in this place might be concerned about.

That is not to say that I do not accept that some of these things might be transferred in future with the approval of this Assembly. I am quite content if that turns out to be the case, although I reserve the right to argue one way or the other when the matters come before the place. The issue here is this Assembly ensuring that none of these current services, activities or assets—that is, ACT government assets, ACT government activities and ACT government services—are transferred to Totalcare without the approval of this Assembly. Mr Temporary Deputy Speaker, the motion speaks for itself, and I urge members to support it.

Question put:

That the motion (**Mr Berry's**) be agreed to.

The Assembly voted—

Ayes, 8

Mr Berry
Mr Corbell
Mr Hargreaves
Mr Osborne
Mr Quinlan
Mr Stanhope
Ms Tucker
Mr Wood

Noes, 9

Ms Carnell
Mr Cornwell
Mr Hird
Mr Humphries
Mr Kaine
Mr Moore
Mr Rugendyke
Mr Smyth
Mr Stefaniak

Question so resolved in the negative.

PUBLIC ACCESS TO GOVERNMENT CONTRACTS BILL 2000

Debate resumed from 8 March 2000, on motion by **Mr Osborne**:

That this bill be agreed to in principle.

Motion (by **Mr Stanhope**) put:

That the debate be adjourned.

The Assembly proceeding to a vote and Mr Moore (Manager of Government Business) having, by leave, withdrawn his call that the noes had it, the Temporary Deputy Speaker again put the question.

Question resolved in the affirmative.

Debate adjourned to the next sitting.

WORLD HERITAGE LISTING—CENTRAL AREA OF CANBERRA

MR CORBELL (5.21): I move:

That this Assembly:

(1) (a) reaffirms Canberra's significance as the pre-eminent 20th Century city in the City Beautiful and Garden City traditions; and

(b) the national symbolism inherent in the National Triangle area and surrounding elements of Central Canberra as planned by Walter Burley Griffin and Marion Mahoney Griffin;

(2) recognises that Canberra meets the following criteria of outstanding universal value for the inclusion of cultural properties in the World Heritage List in that it;

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- (a) represents a masterpiece of human creative genius;
 - (b) exhibits an important interchange of human values, over a span of time, on developments in town planning and landscape design;
 - (c) is an outstanding example of a type of architectural ensemble and landscape which illustrates (a) a significant stage in human history and (b) it meets the test of authenticity in design and setting; and
- (3) resolves that the central area of Canberra should be considered for World Heritage Listing in accordance with the World Heritage Convention.

Sometimes when I talk on this subject I feel like a bit of a voice in the wilderness; nevertheless, this motion is an important one and the issue that it raises is equally important for anyone who considers Canberra to be a superb example of town planning in the 20th century.

World Heritage listing for Canberra was first raised in the early 1990s by the then member for Fraser, Mr John Langmore, and by Professor Ken Taylor, who is still a professor of landscape architecture at the University of Canberra. The thoughts of many people when they hear of the notion of World Heritage listing turn to natural heritage and places of great natural beauty, such as Uluru, Kakadu National Park and, more recently, the Blue Mountains outside of Sydney. But there is much more to World Heritage listing than natural heritage.

Indeed, the United Nations Educational, Scientific and Cultural Organisation, which is the body charged with administering the World Heritage Convention, a convention to which Australia is a signatory, also looks at sites of outstanding universal cultural heritage in making judgments about sites to be placed on the World Heritage List. A number of cities and parts of cities round the world are listed on the World Heritage List.

Perhaps the most striking example in Canberra's case is another planned city. The city of Brasilia, the capital of Brazil, was listed in 1987 on the World Heritage List as of outstanding universal value in relation to developments in town planning and landscape design. When I heard that Canberra was not on the World Heritage List but Brasilia was, it struck me as both odd and perhaps inappropriate considering the significance that Canberra is already accorded internationally as an outstanding example of town planning.

What would World Heritage listing mean and how would it take place? Individual governments like our own are not signatories to the World Heritage Convention; only national governments are. So it would require a nomination by the federal government for this issue to be progressed. However, there is nothing to stop this Assembly from agreeing that Canberra meets the criteria outlined in the World Heritage Convention to justify its nomination to the World Heritage List. The purpose of the motion today is to start that debate.

Mr Speaker, what are the values that make Canberra unique? What are the values that make Canberra a suitable candidate for World Heritage listing? I would like to read from some comments made by Professor Ken Taylor in a speech he gave to a recent meeting of World Heritage experts in Canberra. He said:

The idea of Canberra as a city in the landscape continued in the post Second World War era during the period of the NCDC. Some of Griffin's early ideas were altered or not achieved, but the framework of his plan stayed in place. His national triangle as the symbolic heart of the centre of the nation remains mainly as a vast serene landscape space housing fewer buildings than Griffin envisaged.

Parliament House is on the site preferred by Griffin for his own people's capital building, but its design allows people to walk up to it and over it, thereby symbolising an ideal relationship between citizens and politicians. The panoramic prospect of surrounding landscape visually and physically interpenetrating the city envisaged in the Griffin plan survives. The legacy of Charles Weston's innovative landscape planning also endures.

Canberra is a superb example of a 20th century city. When you think about it, it is a remarkable achievement to have built a city of this size and grandeur inland on one of the driest continents on the planet; but it has been achieved, and it has been achieved in a way that melds landscape with built form. It is recognised internationally for being able to successfully achieve this. More than that, it represents the culmination of a range of philosophies that were only just beginning to become apparent in the early years of the 20th century.

In the lead-up to the announcement of an international competition for the design of the capital in 1911 and coincidental with idealism of landscape images and nationalism was the growing interest in town planning as an art and as a science. Central to this interest was the notion that building better cities would, in turn, assist in building a healthier society.

The key to healthier societies and cities was cleanliness and fresh air. Healthy town dwellers meant economic efficiency and higher moral and social standards. Progressive thinkers saw the city as the microcosm of the nation where all the evils they decried were found. The plan of Canberra was a direct response to these philosophies and our federal capital was meant to remedy these evils.

Perhaps we have not remedied the evils through our town planning in Canberra, but we have achieved a superb example of these philosophies as they existed at the time. They exist in the creation of the lake and in the background setting of the national triangle with the hills of Mount Ainslie, Red Hill and Mount Bimberi on the very far end of Griffin's land access. All of those add up to a superb example of town planning.

What are the qualities that Canberra would need to meet to be included in the World Heritage List? What are the criteria of the World Heritage Convention? First of all, it would need to represent a masterpiece of human creative genius. There is no doubt that Burley Griffin's plan does meet that. Griffin is recognised internationally as one of the leading proponents of landscape architecture and town planning combined.

Secondly, we would have to make sure that our city exhibits an important interchange of human values, over a span of time, on developments in town planning and landscape design. There is no doubt again that the central area of Canberra does reflect these philosophies. Finally, we would need to make sure that Canberra is an outstanding example of a type of architectural ensemble and landscape which illustrates a significant stage in human history and meets the test of authenticity in design and setting.

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Again, the parliamentary triangle is a superb ensemble of architecture and landscape. It does illustrate a significant stage of human history, particularly the foundation of the federal capital and of the federation of this nation, and it does indeed meet the test of authenticity in design and setting. Outside of Washington, Canberra was the second city designed and planned as a federal capital.

Mr Speaker, what would World Heritage listing mean? First of all, it would give weight to what we all know and already recognise and what is already known round the world. Canberra is visited already by many people internationally to see landscape and town planning in action, a result rather than a theory. What would it mean for the central area, the triangle, the parliamentary zone and the broader setting? It would mean that we would have to have appropriate guidelines in place for the management of the area. It would not mean that the city would be frozen in time, never to be changed, never a new building to be built.

In other World Heritage sites the key requirement is that there are appropriate management regimes in place to ensure that the place continues to be looked after and enhanced as the city grows and develops. That is certainly what we have already in Canberra. The National Capital Authority provides an appropriate legislative framework for the management of the central area. The Joint Standing Committee on the National Capital provides an important oversight of that management function. Areas where the Territory Plan applies are also appropriately overseen by mechanisms both in this place and through the broader community. We have the mechanisms already to address that key criteria that the place must have effective management mechanisms in place.

World Heritage listing would be the final step in recognising the significance of Burley Griffin's plan and the influence of Sulman, Weston and others in the development of Australia's federal capital. It would be a fitting tribute, as we lead up to 100 years since the establishment of Canberra in a decade or so, that we are recognised internationally on the World Heritage List as a place of outstanding universal value unique in the world.

I understand that the government wishes to adjourn debate on this motion today. I have to express my regret that the government did not approach me earlier seeking further clarification of some of the issues that will lead to the adjournment of the debate. I did write to all members advising them of my intention to move this motion and inviting them to seek further clarification should they feel it was necessary.

But that said, Mr Speaker, this should be an issue above politics. This should be an issue about recognising the pre-eminence of our city as a planned city, outstanding in its 20th century context. For that reason, I am prepared to accept the adjournment of the debate today, but I urge members to give serious consideration to this issue. Heritage is not just about natural beauty; it is about beauty created by human hand as well. It is fitting that we consider Canberra for those criteria in the context of the significance of Griffin's plan and those who followed afterwards in implementing it and in its realisation.

Debate (on motion by **Mr Smyth**) adjourned to the next sitting.

WORKERS' COMPENSATION AMENDMENT BILL 1999

Debate resumed from 9 December 1999, on motion by **Mr Osborne**:

That this bill be agreed to in principle.

MR SMYTH (Minister for Urban Services) (5:36): Mr Speaker, this bill was considered as part of the work of the Assembly's Select Committee on the Workers' Compensation System in the ACT and the committee recommended that the government support the bill.

In August of this year I tabled in the Assembly the government's response to the report of the select committee on the ACT workers compensation system. I indicated then that the government agrees in principle with the objectives of the bill. The government supports a penalty regime that establishes an appropriate balance between the need to encourage good behaviour on the part of scheme participants and the ability to enforce effective penalties for poor behaviour.

However, the government is concerned that the bill does nothing to improve the overall framework to encourage voluntary compliance with the ACT's requirements. It focuses solely on applying very severe penalties, including, for example, restricting the capacity of an employer found guilty of an offence to employ persons for a period of up to five years.

Mr Speaker, the worst affected by the provisions of this bill may be employees themselves who, because of this bill, would find themselves unemployed; but the proposed changes may not prevent an employer found guilty of an offence from operating through an alternative company or in a different trading structure. That would be an unfortunate outcome. The government is, instead, keen to ensure that changes to the penalty regime will not inadvertently penalise employees rather than the employers it seeks to deal with.

The bill also proposes a significant increase in penalties for breaches of the act. By comparison with other jurisdictions, the current penalties within the Workers Compensation Act 1951 are low. In my August response, I also indicated that the government plans to introduce a bill to amend the Workers Compensation Act within this year and that the bill will substantially incorporate the intent and direction of not only the select committee report but also the report of the Workers Compensation Monitoring Committee.

Mr Speaker, the agenda for this week's business clearly indicates that that will have to happen tomorrow. The legislation to be tabled tomorrow deals with the very issues of penalty and compliance raised by Mr Osborne, but in a more comprehensive, integrated and effective manner. I will provide the Assembly now with a brief overview of how the government proposal would operate.

The bill I will table tomorrow deals with achieving effective compliance through strategies that fall into three categories. The first will be increased frequency of declaring required information by employers, together with the use of mandatory, systematic audits by both insurers and the regulator to improve detection of businesses which engage in

inappropriate activity. The second is the simplification of the legislative framework to assist the regulator in the prosecution action. The third is a substantial increase in the range and level of penalties available under the legislation. These strategies are, in turn, supported by an increase in education and information on the operation of the ACT's workers compensation scheme.

Mr Osborne wishes to impose heavy penalties for aberrant behaviour as he perceives it. The government agrees that the behaviour targeted should be severely punished. However, some penalties he suggests are lesser in nature and coverage than those to be proposed tomorrow by the government and many of the penalties he suggests are entirely avoidable or effectively penalise the wrong individuals.

Mr Speaker, the suite of solutions and penalties the government will suggest are innovative and far reaching. In terms of compliance, they offer greater incentive to ensure that employers do not avoid, mislead or understate the position. Random inspections, coupled with severe penalties, confer upon the scheme a more balanced approach to compliance.

It is the government's view that it is not appropriate to debate the bill today. I think it would be far better that we look at both bills when the government tables its legislation and take the matter forward from there. I would ask the Assembly to defer a decision on this matter until such time as adequate consideration can be given to the government's comprehensive proposal with respect to compliance, which we believe is far superior to that which we are considering today. On the basis of that, if the debate goes forward, the government will oppose these measures and introduce its bill tomorrow.

MR BERRY (5.40): Labor will be supporting these measures, which were the subject of scrutiny by the Select Committee on the Workers' Compensation System in the ACT. I note the government's comments in relation to this matter; in particular, their comments in relation to employees. It is all very well for them to say that they are concerned about the effects on employees. I am also concerned about the effects on employees. I am very concerned that employers might not insure employees or insure them inadequately.

I am very concerned that employees might find themselves with an injury and then have to go through the drama of getting access to the pool to cover their injuries. I am extremely concerned about employers who knowingly supply false information in relation to their employees and do it more than once. Mr Speaker, the harshest penalties are required here because the message needs to be clearly sent to anybody who is contemplating underreporting on their compensation insurance.

One of the great complaints of employers out there, and it is a fair complaint, is the cost of workers compensation insurance in the ACT. Worker compensation insurance, like any insurance, can be described in lay terms as a business conducting a book on the risk of injuries to workers. One accepts that businesses are conducted along these lines in relation to insurance and the premiums are determined on the number of injuries and outgoings for the insurance company in question.

Mr Speaker, I have talked to representatives of the insurance industry. They want to ensure that people do not understate their compensation premium obligations and they want to see measures in place which will bring that about. I want to see that happen because it would end up meaning that more people were insured and fewer businesses would have imposed upon them undue workers compensation premiums. Hopefully, if we can get everybody playing the game fairly, premiums and the cost to business of workers compensation would be lower.

The end result could turn out to be a bonus to workers because it is quite possible that the additional earnings that flow to employers would find their way into the economy and create more activity and therefore some jobs. None of that would be of any use, of course, unless an appropriate occupational health and safety strategy was in place. As members would know, we have been working in this place, government and non-government members, in one direction or another to ensure that that happens.

There is throughout the country a tendency towards higher penalties to create disincentives for injury in the workplace. There is no reason that should not find its way into the workers compensation system in the ACT. The ACT system is a completely private system regulated by government. It is a system which has been the subject of criticism in the past. One of the criticisms has been about workers' entitlements. One of the recommendations of the committee which looked into these matters was that workers' entitlements should not be interfered with.

One other important recommendation was that the database that the government was putting together should be in place by the end of this year. It looks as though that database is running pretty well at this stage. I must say that I was impressed by the evidence that I saw in relation to the database. I will be keeping an eye on that and see how it affects the way that workers compensation in the ACT is monitored.

I note that the minister says that he will be bringing forward legislation tomorrow. By the sound of it, it contains some of the issues which were prompted by the committee of inquiry which consisted of you, Mr Speaker, Mr Osborne and me. I thank both of you for your involvement in that committee. I have probably thanked both of you before, but it was about a significant matter which affects lots of people in the ACT.

The fines were not agreed to by all members, but I think they are worthwhile in the context of this debate. I am confident that this bill will result in better reporting of workers compensation out there in the community. I regret that some employers will think that, basically, we are having a shot at them and declaring them all to be dishonest and disreputable. That is not the case. It is the old bad apples in a barrel adage: it only takes one or two to bring ill on the rest and we want to try to create enough disincentives to ensure that the lesser is the case and that these breaches of the legislation will be more and more infrequent.

The more we level out the playing field in relation to workers compensation and injury prevention and ensure that we are all involved in it with an equal amount of sincerity and energy, the sooner we reduce the incidence of injury and make sure that the compensation is adequate for injured workers where unfortunate injuries occur. It is a blight on this community that we have such high rates of injury, but those who employ unfairly, do not declare their insurance and do not insure their workers ought to consider

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themselves amongst the worst offenders in our community. That is why these penalties have to be introduced, I regret.

There is a particularly severe penalty which prohibits employers from employing. The government expressed the view that this might impact on the employees. I do not think that there would be too many people who would want to work for an employer who repeatedly misinformed the authorities in relation to his workers compensation insurance. I do not think that there would be too many people out there who would like to work for an employer who is prepared to take these sorts of risks in relation to workers compensation insurance.

My view is that if they are prepared to take these sorts of risks with workers compensation insurance, they would be prepared to take risks with workers' lives in the pursuit of profit. There is nothing wrong with making a profit; that is fine. Of concern to me is the abuse of workers and the abuse of the system, making it more difficult for fair dinkum employers out there that do the right thing for their workers.

Overwhelmingly, the evidence that came before this committee demonstrated that employers do the right thing. There are problems with the system and we need to make sure that the money presently escaping the pool is included in the pool. Labor intends to continue with its efforts to bolster the provisions which serve injured workers wherever it can. This is one area where we can assist by voting for this legislation. I welcome the introduction of the legislation by Mr Osborne and I wish for it a speedy passage.

MS TUCKER (5.49): I am always interested in what Mr Berry has to say on these sorts of issues because he does have long experience in and a genuine commitment to occupational health and safety. In listening to him then, I was once again impressed by his level of understanding and the logic of his argument. Clearly, employers are concerned about the premiums for workers compensation insurance and so on. Obviously, the best way to address that concern is through reducing workplace incidents and accidents. I know that the figures are absolutely horrendous in this country.

We are still seeing so many workplace incidents and serious injury resulting. Clearly, we are not very good at it as a country. This is an attempt, through legislation in the ACT, to give the whole issue greater status in terms of the responsibility of employers. It is a fundamental responsibility of employers to ensure that they take all measures possible to make sure that anyone working for them is properly looked after in any circumstance, so the Greens are happy to be supporting this bill.

MR OSBORNE (5.50), in reply: I thank members for their support for this bill. It is about a very important issue. I would especially like to thank Mr Berry and his staff for their assistance on these issues. As Ms Tucker said, Mr Berry does have enormous experience on this issue. I have heard lots of things said about Mr Berry in my time in here and I have even said such things myself, but I do not think that anyone would doubt that, of all the members of this Assembly, Mr Berry's stance on behalf of workers is second to none. I am pleased to have been able to work with him on this issue.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

ADJOURNMENT

Motion (by **Mr Smyth**) agreed to:

That the Assembly do now adjourn.

Assembly adjourned at 5.51 pm