



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

21 February 2002

Thursday, 21 February 2002

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MR SPEAKER (Mr Berry) 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.

Crimes (Bushfires) Amendment Bill 2002

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

Title read by Clerk.

MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women) (10.31): I move:

That this bill be agreed to in principle.

Mr Speaker, the Crimes (Bushfires) Amendment Bill 2002 will create a new offence relating to the lighting of bushfires in the Crimes Act 1900. I am aware that, following last December's bushfires, there were calls to bring our penalties for existing offences into line with those applicable in other jurisdictions. With all due respect to the people who demanded stiffer sentences for firebugs, my government is not convinced that an increase in penalties for existing offences will solve the problem. In fact, one thing that is certain from the recent bushfires is that the existing ACT arson offences do not deal effectively with people who cause bushfires because those offences do not take account of the actions and motivations involved in starting bushfires.

By way of illustration, the offence of arson requires that the person intentionally and without lawful excuse damages property belonging to another person. In practice, however, when a person does something that ends up causing a major bushfire, he or she may rarely consider the possibility that someone else's property will be damaged, let alone have the intention of causing that damage.

It is generally acknowledged by criminologists that there are many reasons why some people light fires: a fascination with fire generally, the excitement associated with a response from emergency services and a desire to relieve boredom or to impress one's peers. In such cases it would not be possible to convict a person of arson, even if they deliberately caused the fire which ended up as a bushfire. What, then, would be the point of increased penalties?

It would have been possible for the government to propose increases in the penalties for the regulatory offences found in the Bushfires Act 1936. Most of these regulatory offences involve strict liability; the state of mind of the person who does the relevant forbidden act does not affect their liability. Merely increasing the penalties that apply to regulatory offences would not distinguish appropriately between the criminality of the person who, for example, lights a backyard barbecue on a fire ban day but whose actions result in no damage and the criminality of a person who deliberately starts a fire in dry bushland on a windy day with the intention of causing a bushfire.

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The new offence contained in proposed section 118A is based on the bushfire offence in chapter 4 of the Model Criminal Code. The Commonwealth Attorney-General has written to all jurisdictions urging them to take a national approach to the problem of deliberately lit bushfires by adopting this provision. It was specifically developed by the Model Criminal Code Officers Committee to deal with bushfires and was subject to nationwide consultation before being finalised in January 2001.

The fault elements of the new offence avoid the need to prove that the offender intended the fire to cause damage or to spread. Section 118A (1) contains separate fault elements which distinguish between the offender's state of mind in relation to causing the fire and his or her state of mind regarding the spread of the fire to vegetation on another person's property.

The first fault element will require the prosecution to establish that the offender either intended to cause the fire or was reckless in causing that fire. The second fault element requires the prosecution to show that the offender was reckless as to the spread of the fire to vegetation on another person's property. The second mental element will be established if the prosecution shows that the offender had realised that there was a substantial risk of the fire spreading to vegetation and property belonging to another person.

The concept of causing a fire is defined to include lighting a fire, maintaining a fire and failing to contain or extinguish a fire that the person lit. Maintaining a fire is included so that new offences cover persons who intentionally or recklessly add fuel to an existing fire, even though that person realises there is a risk of the fire spreading. Failing to contain or extinguish a fire will ensure the new offence applies to a person who lights a fire other than intentionally or recklessly—for example, who starts a fire accidentally or negligently but who then intentionally or recklessly fails to control the fire while it could be controlled, even though that person realises there is a risk of the fire spreading.

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

Legislation Amendment Bill 2002

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

Title read by Clerk.

MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women) (10.37): I move:

That this bill be agreed to in principle.

Mr Speaker, this bill marks an important stage in the evolution of the Legislation Act. First, it completes the establishment of the legislative framework for the Public Access to Legislation project. Second, it provides more fully for the status of Legislation Act provisions. Third, it restates in an updated form some of the basic principles of statutory interpretation. Finally, the bill confirms the application of the common law privileges against self-incrimination and legal professional privilege.

Members will be aware that the public access to legislation project has made ACT legislation and related notifications, instruments and information available on an approved Internet website. The key element from the framework of the project is the consolidation of provisions dealing with the life cycle of ACT legislation into a single act, the Legislation Act.

These provisions were previously scattered across various acts and were not easy to find or use. This bill completes the process of consolidation by relocating into the Legislation Act the remaining provisions of the Interpretation Act and also incorporating the provisions of the Administration Act and the Statutory Appointments Act. The bill also provides for the repeal of these acts. The bill deals with the status of Legislation Act provisions, especially their application and displacement.

Mr Speaker, when I refer to the displacement of a provision of the Legislation Act, I am referring to the fact that the act lays down various rules that will apply to all other acts and statutory instruments unless the other act or instrument indicates that the provision of the Legislation Act is not to apply in a particular case. Some examples of these rules may be seen in section 74, which presumes that laws commencing on a day commence at the beginning of that day, and section 236, which provides that a person with a power of delegation may not delegate that power.

The notion of displacement means that rules like these may not necessarily apply in relation to a particular act or statutory instrument. This then raises the question of the sort of indication that is needed to effectively exclude or displace the operation of the Legislation Act in a particular case. The bill provides that more must be done to displace some provisions than others.

Before considering the mechanics of this displacement, we might ask why this should be so. Why should some of the provisions of the Legislation Act be more difficult to displace than others? The answer is that the operation of some provisions seems to be more important to our system of government and law than others—remembering that all the provisions of the Legislation Act are part of the law.

Consider, for example, section 61. This section requires certain instruments to be notified on the register. However, if section 61 does not apply in a particular case, for example, because the law-maker makes some other provision, there is a risk that the instrument may not come to public notice. For this reason the bill designates a number of Legislation Act provisions as determinative provisions. For the significance of this kind of provision we must turn to the new section 6 that the bill proposes to insert into the act.

Subsection (2) of the new section 6 provides that a determinative provision may be displaced in two ways. The first of these is by express words. This implies the provision in another act or statutory instrument that specifically refers to section 61 and says that it does not apply. The second way section 61 can be displaced is if another act or instrument, while not specifically referring to section 61, clearly contradicts the rule of section 61. This kind of displacement is known as manifest contrary intention.

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The effect of section 61 being an alternative provision is that, if another act or statutory instrument provides for the making of an instrument, that must be registered under the Legislation Act, for example, regulations. But ordinarily the instrument must be notified in accordance with section 61.

The only situation where section 61 would not apply would be where the other act or statutory instrument uses express words or a manifest contrary intention to indicate that section 61 should not apply. The purpose of this is to ensure that section 61 will always apply unless it has been very clearly excluded in one of these ways. Because section 61 lays down such an important rule, it should not be lightly set aside by another law.

In addition to section 61 there are a number of other Legislation Act provisions that the bill could also declare to be determinative provisions. This is all very riveting and important, but I think that I should read it again, just to make a point, unless you can read it back to me.

Mr Smyth: You read it as many times as you want, Chief Minister.

MR STANHOPE: It is just quite riveting. Mr Speaker, I have indicated that the bill contemplates that at least some of the provisions of the Legislation Act will be declared determinative provisions. The other provisions of the Legislation Act, that is, the non-determinative provisions, are also intended to apply to laws and statutory instruments. The difference is that non-determinative provisions may be displaced more easily than determinative provisions.

We have already noted that a determinative provision may only be displaced by express words or a manifest contrary intention. A non-determinative provision, on the other hand, like the provision of the Interpretation Act, may be displaced by a contrary intention. Members may reasonably ask: what is the difference between a manifest contrary intention and a contrary intention?

Mrs Dunne: I was going to, actually.

MR STANHOPE: Don't you dare. An approximate answer would be to say that, while a manifest contrary intention will usually require a clear contradiction of the relevant Legislation Act provision for it to be displaced, a mere contrary intention may be indicated by something akin to a hint.

In this regard, I draw members' attention to section 6 in the bill, where the distinction is more clearly drawn. I believe that, while the distinction is very subtle when being discussed in the abstract such as I am doing now, in practice it will be more easily grasped. It may be helpful to see the notion of contrary intention as a continuation of the same concept that applied under the Interpretation Act, while manifest contrary intention is intended as a new concept requiring a significantly clearer indication.

I should also point out that the displacement provisions of the bill represent an accommodation. Under our constitutional system, this present Assembly cannot bind its successors except as allowed by section 26 of the self-government act. On the other hand, the displacement provisions seek to flag certain provisions of the Legislation Act,

for example, as meriting enforcement according to their terms as part of a continuing system to promote the accessibility of the law.

At the same time, it is recognised that a later Assembly may repeal or exclude these provisions either generally or in a particular case. Accordingly, a provision should also be seen as an expression of intention. The system they establish should not be set aside by a too readily found contrary intention in other law.

Turning to another topic dealt with by the bill, some of the current provisions about statutory interpretation were included in the Interpretation Act almost 20 years ago and are well overdue for review. Therefore, the opportunity has been taken to restate the provisions in a simplified, updated and, where necessary, enhanced form.

The restated provisions do not represent a dramatic change in the rules of statutory interpretation but reflect significant common law development of statutory interpretation in recent years. The effect of common law developments has been to establish the purposive approach to the interpretation of legislation; to stress the importance of legislation being read in context, including in the context of all its provisions; and to make obsolete many of the statutory restrictions applying to the use of extrinsic materials, such as *Hansard*, explanatory memoranda and committee reports. The provisions of the bill reflect these developments.

I would like to take the opportunity to acknowledge at this point the significant assistance the Parliamentary Counsel's Office has received from Mr Jeffrey Barnes of La Trobe University in the development of the revised statutory interpretation provisions. Mr Barnes is a noted scholar in the field of statutory interpretation.

The bill also includes new provisions confirming the application of the common law privilege against self-incrimination and legal professional privilege. These provisions, which are stated to be determinative provisions, will remove any doubt about the continuing application of the privileges to ACT laws that do not expressly deal with that issue.

The provisions will also ensure that, if the important principles represented by the privileges are displaced by legislation, the law doing so must make an express statement displacing the privileges or demonstrate a manifest intention to do so. They will also help to ensure that the privileges are not inadvertently displaced and that cases in which they are sought to be displaced will be subject to Legislative Assembly scrutiny.

Finally, the bill provides amendments for minor technical changes to improve the operation of both the Legislation Act and the legislation register. The bill also makes minor, consequential amendments to a number of other acts.

Before concluding I should indicate that, whilst the provisions of this act can, and would by many, be regarded as dry and perhaps not particularly significant, some of the provisions in this piece of legislation are very significant indeed to the way in which the parliament operates and the way in which we interpret legislation.

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I do not want to underscore the significance of the Legislation Act amendment processes, which have been a feature of the last Assembly and will be of this one, but some of these provisions will be quite significant in their effect if this bill is accepted by the Assembly. I think it is a very important piece of legislation. It is a bit dry, and some of the concepts are quite difficult, but I commend the bill to the Assembly.

MR SPEAKER: Thank you, Mr Stanhope. I know that members will be keen to debate that bill right now. Unfortunately, standing order 171 prevents them from doing so.

Mr Stefaniak: Mr Speaker, I think it would be incredibly stupid if we attempted to debate this most detailed bill now. I am only up to page 30. Accordingly, Mr Speaker, I move:

That the debate be adjourned.

Question resolved in the affirmative; debate adjourned to the next sitting.

Gene Technology Bill 2002

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

Title read by clerk.

MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women) (10.48): I move:

That this bill be agreed to in principle.

Mr Speaker, the bill reflects a national framework for overseeing gene technology activities. Its objective is to protect the health and safety of the community and environment by identifying potential risks posed by gene technology. It ensures scrutiny of gene technology applications and the monitoring of such activities.

The ACT is party to the Intergovernmental Agreement on Gene Technology. The agreement commits states and territories to co-operate in the national framework of gene technology regulation. This bill honours the ACT's commitment to introduce nationally consistent gene technology legislation. The Commonwealth has enacted the Gene Technology Act 2000. This act applies in states and territories while similar legislation is being prepared. The application of the Commonwealth act to the ACT will cease when consistent legislation commences in the ACT.

The bill is based on a national model bill that was developed with input from all jurisdictions. The Commonwealth act is also based on that model. There are some small differences between the bill and the Commonwealth act; however, they are not significant. Consultation on the proposed legislation took place in all jurisdictions. The consultations were coordinated by the Interim Office of the Gene Technology Regulator.

ACT government officials were involved in the ACT consultation. It involved a public forum and targeted consultation with industry, community and research groups. The Senate Community Affairs Reference Committee has also conducted an inquiry, which included public hearings into the Commonwealth Gene Technology Bill 2000. The regulatory framework includes a licensing system for gene technology activities. It also involves national committees to allow for community consultation and expert technical and ethical advice.

It is proposed that enforcement and investigation powers in the bill will be provided to the Commonwealth Gene Technology Regulator. This will assist operation of the national framework and reduce the burden on the ACT. A national approach is important, as gene technology is a global issue. The bill seeks to promote a level playing field across Australia. Community confidence will be encouraged by the knowledge that gene technology is adequately regulated.

Mr Speaker, I commend this bill to the Assembly.

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

Road Transport (Driver Licensing) Amendment Bill 2002

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

Title read by Clerk.

MR WOOD (Minister for Urban Services and Minister for the Arts) (10.51): I move:

That this bill be agreed to in principle.

Mr Speaker, the bill amends the Road Transport (Driver Licensing) Act 1999 in order to ensure that national principles associated with the suspension of drivers licences due to demerit points continue to apply in the ACT. The current provisions for demerit points contained in the act I mentioned have provided some ambiguity about when demerit points are incurred.

The principle adopted in the national driver licensing scheme is that demerit points are incurred on the day of the offence and not the day of some other event, such as when the infringement notice penalty is paid. This principle was also contained in the now repealed Motor Traffic Act 1936. This amendment bill makes it clear that demerit points are incurred for the day of the offence. This gives effect to the underlying principle of demerit points that an individual is only allowed to retain a drivers licence as long as that individual does not reach or exceed within a defined period the maximum allowed number of demerit points.

At the moment demerit points are most often recorded on the register on the day the infringement notice penalty is paid or when the court convicts a person of a demerit point offence. A further detail of the bill is that, if a person is allowed extra time to pay an infringement penalty, the demerit points are recorded on the register on the day the decision about the extra time is made, not when that extra time has ended. However,

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regardless of when demerit points are recorded on the register, the principle remains that the effective date of demerit points is the date of the offence.

The bill ensures that nationally agreed principles for demerit points continue to apply in the ACT. I move that the Assembly agree in principle to this bill.

Debate (on motion by **Mrs Cross**) adjourned to the next sitting.

Race and Sports Bookmaking Act 2001 **Partial disallowance of Instrument No 262 of 2001**

MS TUCKER(10.53): I move:

Noting the role that access to credit can play in problem gambling, that regarding Instrument Number 262 of 2001 in Part A, the following sections and subsections be disallowed:

6.6.2—the words ‘unless’ and subclauses (i) and (ii);

6.7.3 (c) and (d)

6.7.4

6.10.4

section 7 (including all subsections).

Mr Speaker, I have moved to disallow certain parts of this instrument that relate to how sports bookmakers may offer credit to punters, particularly in relation to spread betting. Before I commence I advise members that it is my understanding that this debate will be adjourned following my speech.

The Race and Sports Bookmaking Act allows bookmakers to be credit providers. This instrument, made under that act, establishes, among other things, the rules sports bookmakers must follow when providing credit. I have great concerns about the fundamental question of any gambling agent being allowed to give credit to someone who is gambling with them. That seems to be asking for trouble, which is why in other forms of gambling it is not permitted.

In the ACT it seems we have a fairly tolerant approach, also permitting TABs to provide credit to gamblers. In New South Wales gamblers may establish accounts using credit cards but not bet with TABs on credit. This instrument, and hence this motion, goes to how credit is provided rather than whether it should ever be provided. But I would like to make a brief comment on the latter topic because it is closely related to the discussions we will have on this matter.

A common argument we hear in defence of provision of credit by bookmakers is that is a tradition to gamble on the horses “on the nod”. That may be so but is not in itself a good reason to continue the practice. Today, sports and race bookmaking is provided over the Net and over the phone. It is a different experience, a potentially more isolated experience compared to being at the track, which may include socialising—although that is not without its own problems.

So when we hear that there is no problem because it has always been so, we need to reflect on how gambling has changed and how community attitudes are changing, while, of course, some elements have stayed the same.

Poker machines account for roughly 80 per cent of Lifeline's gambling clients, with horses and TAB at each around 5 per cent. However, bear in mind how prevalent poker machines are, and then consider that the new industry chiefs of online sports betting expect to be reaching new markets—probably younger people more comfortable with using the Net.

Coming back to this motion, sports betting occurs on the track, online and on the phone. Sports betting includes spread betting, which is a complicated system of gambling on a team or political party or whatever, achieving a result within a range. I think I have that right. Spread betting is a riskier form of betting in some ways because the odds change as the game or event progresses. This makes it possible for a person to suddenly lose a lot more money than they can afford. Spread betting in particular is the subject of most of these disallowance provisions.

These rules have not been changed; they have been regazetted—simply because this Assembly changed the parent act when we passed the competition review fuelled new Race and Sports Bookmaking Act last year. Whether or not they have been changed, this gazettal gives us a chance to scrutinise the rules for the first time in years, and I am arguing that there are problems.

Coming now to the specific parts of this motion, I will go through each part that I have proposed to disallow to outline the concerns. In relation to clause 6.6.2—I have proposed to disallow the word “unless” followed by subclauses (i) and (ii)—the first part of it says that a sports bookmaker must, after five business days of the client being overcommitted:

- i. close all the client's open positions; and
- ii. accept no further sports spread bets until margin has been received;

Basically, this is a cutting clients' losses clause. Five business days can let someone get into a fair bit of trouble. In a case that is currently unresolved before the courts in New South Wales, it is alleged that a Sydney man accessed ACT Sports Betting—not allowed in New South Wales—and, despite having a \$1,000 credit limit, was allowed to gamble himself \$10,000 into debt within 48 hours by spread betting. Five days is really a long time and may be something to look into.

However, it is the exemptions in the two subclauses following the word “unless” in the instrument that are of most immediate concern and I have moved to disallow. The second subclause, (ii), which appears following the word “unless”, seems very dangerous. If the client says that they have overspent due to circumstances beyond their control and promises to get the money forthwith and the bookmaker makes notes of this and what has been done to try to get the money, they can continue. That is not much of a check.

Credit providers are regulated by the consumer credit code. It is questionable whether the consumer credit code currently applies to bookmakers, mainly, I understand, because credit provided on terms of less than a certain number of days does not come under the

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code. I am told that the Gambling and Racing Commission has asked for and received legal advice on this point. This advice tells them that the code does not apply here. I have not seen that legal advice but, whether or not the consumer credit code formally applies in this case, it could surely usefully be used as a model for assessment.

The rules for establishing a client account for spread betting could use some work to bring them up to the kinds of standards we expect in other areas of credit provision. Clause 6.2.1 of the instrument says:

... the sports bookmaker must have adequate procedures for ensuring that applicants for a client account are suitable for undertaking sports spread betting.

How is “adequate” measured? What criteria do the bookmakers use to ensure that an applicant is suitable? This is where reference to the credit code or something based on it would be very useful.

What I am saying by bringing attention to this instrument is that, at a minimum, if people are going to gamble on credit, they should be subject to a proper credit assessment, with similar in standard to the one applied by the consumer credit code—and, ideally, not by the gambling provider, who, however honourable, has a conflict of interest.

A gambling provider should also not be allowed to extend a person’s credit limit on the run. If people gamble on credit, surely it should be on the basis that their credit has been reasonably assessed. It is true that there are problems with banks and other financial institutions granting credit or credit extensions without applying proper assessment, but that is another issue.

The rules for granting credit are set out at clause 7. A sports bookmaker must have a credit management policy which is approved by the Gambling and Racing Commission. I know that the Gambling and Racing Commission are very professional and I do not want to in any way cast aspersions on them, but isn’t credit management more a matter for the Office of Fair Trading?

My motion proposes disallowing all of this clause. I think it would be a big step forward if—whether it is the Office of Fair Trading or the Gambling and Racing Commission—the credit management policies were assessed against the consumer credit code. More links between the Office of Fair Trading and the Gambling and Racing Commission on these matters of credit would also obviously be useful.

In relation to the area of subclauses 6.7.3 (c) and (d), stop loss/stop win limits are the means of setting limits to how much can be lost on a bet as the odds and therefore potential losses change. Part B of this instrument sets out quite detailed mechanisms for setting these limits in different events. I am not going to go into them now. Clause 6.7.3 in part A allows exemptions to these limits. The grounds for exemption in subclauses (c) and (d), which I am proposing to disallow, are quite strange.

Subclause (c) says that, if you demonstrate a sound knowledge of the sports spread betting service, you do not need to have a limit set. Well, you may well have a sound knowledge but, if you have a problem with gambling, your knowledge won’t help you stop yourself when you should.

Subclause (d) waives the limit if you have an approved credit limit of \$25,000 or greater. The problem with this is partly the way credit is approved, which, as I said, needs a fair bit of work. Secondly, a person with a credit limit over \$25,000 could well get into trouble.

Clause 6.7.4 adds a very strange caveat: the person gambling must confirm in writing that they are willing to gamble without these protections in place. I do not see how that is going to be very useful in terms of protection of the gambler.

Clause 6.10.4 concerns the risk warnings in the media. Electronic media warnings do not have to talk about high risk to capital or betting with money you can afford to use, as other media do. This may be because there are higher costs associated with electronic media advertising—I am not sure—but I do not think that is a sound reason for it, given the effect of the warnings and the importance of warnings.

The issue of whether or not bookmakers and other gambling agents may ever provide credit is a discussion for another day. The opportunity should not be too far away for bookmakers, as the Gambling and Racing Commission expects to review this act later this year. I understand that the timing of the review has been put back a little from their original work plan, but I am sure that the commission will undertake it as soon as possible. Meanwhile, I look forward to discussing these issues over the next week with members here to find a better way to regulate credit in the meantime.

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

Planning and Environment—Standing Committee Report No 1

Debate resumed from 19 February 2002, on motion by **Mrs Dunne**:

That the report be noted.

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

Administration and Procedure—Standing Committee Report No 1

MR SPEAKER: I present the following report:

Administration and Procedure—Standing Committee—Report No 1—Inquiry into *Legislative Assembly (Broadcasting Act) 2001*—Conditions of broadcasting proceedings and delegation of power to withdraw right to broadcast, dated February 2002, together with a copy of extracts from the relevant minutes of proceedings.

MR HARGREAVES (11.06): I move:

That the report be noted.

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Mr Speaker, for the benefit of members—certainly the new members—the report the Speaker has just tabled is a consequence of the Assembly passing the Legislative Assembly (Broadcasting) Act 2001 in August of last year. That act provided that all proceedings of the Assembly and its committees can be broadcast subject to conditions agreed to by the Assembly.

The report contains draft conditions for the consideration of the Assembly. The act comes into effect on 10 March 2002, so the conditions will need to be adopted in the next sitting week.

I draw members' attention to the fact that this is a reasonably significant change to the broadcasting arrangements for the Assembly, and we really need to ratify those conditions in the next sitting week so that they can take effect from 10 March.

The main difference between this and the previous act is that only those proceedings that in the opinion of the Speaker warranted broadcasting were authorised for broadcast. Under the new act all public proceedings of the Assembly and its committee can be broadcast.

The conditions contain the usual restrictions on the placement of cameras and the content of footage taken of Assembly proceedings. These conditions have been in place for some time—for example, the degree to which cameras can pan. We will make it not possible for them to pan the gallery, and they will not be able to pan members so that they will not catch members asleep or something along those lines. If a member is on his or her feet, the camera can fix on that member and, if another member is referred to in that delivery, that member can be fixed by the camera, but it will not be possible for cameras to look over the shoulder of members and zoom in on the papers that they have in front of them. That is an example of the conditions contained in the report.

The report also proposes that the power to withdraw the rights to broadcast Assembly proceedings be delegated to the Speaker for Assembly proceedings and to each committee for committee proceedings. That means that a motion will need to be put by the committee. It is not in the hands of the committee chair; it is a joint decision by the committee.

Mr Speaker, as you well know because you put the report down, this is a change in the approach. We are saying that, in the interests of being available to the community, we will start from the perspective that Assembly proceedings and committee proceedings will be available to the public and that, if they are not, we will have to come up with a reason. I think that is a change for the better.

I commend this report to the Assembly and urge each member to closely read the report and bring forward suggestions to the Administration and Procedure Committee if necessary.

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

Legal Affairs—Standing Committee Scrutiny Report No 3

MR STEFANIAK (11.10): I present the following report:

Legal Affairs—Standing Committee—Scrutiny Report No 3, dated 21 February 2002, together with a copy of the relevant extracts of the minutes of proceedings.

I seek leave to move a motion authorising the publication of scrutiny reports Nos 1, 2 and 3.

Leave granted.

MR STEFANIAK: I move:

That Scrutiny Committee Reports Nos 1-3 be authorised for publication.

Question resolved in the affirmative.

MR STEFANIAK: Mr Speaker, I ask for leave to make a brief statement.

Leave granted.

MR STEFANIAK: Scrutiny Report No 3 contains the committee's comments on one bill. I commend that report to the Assembly.

Community Services and Social Equity—Standing Committee Statement by chair

MR HARGREAVES (11.11): Mr Speaker, I seek leave to make a statement regarding a new inquiry.

Leave granted.

MR HARGREAVES: At its meeting on 31 January 2002 the Standing Committee on Community Services and Social Equity resolved to:

Inquire into and report on priority issues for service delivery to be considered in the 2002-2003 ACT Budget in the areas of

- . Municipal services;
- . Family and youth services;
- . Services for older people;
- . Housing;
- . Services for people in poverty;
- . Programs for the multicultural community; and
- . Services for the indigenous community.

With particular reference (but not limited) to:

- . The adequacy of resources provided to meet current needs;
- . Gaps in services; and
- . Any duplication of services and area identified for re-prioritisation.

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Members will see the consistency of these terms of reference with the terms of reference of the standing committee in its ongoing role in the Assembly.

Mr Speaker, I have high hopes that this will be a great consultation process. I am speaking on behalf of my colleagues on the committee when I say we are committed to honest consultation and that we hope to be able to bring back to the Assembly in a concerted fashion what information is brought to us by the community.

We asked the Treasurer to come and talk to the committee, and I was quite pleased with the helpful way in which he advised us of the process he saw was going to take place—how we would fit into the jigsaw of it all. I thought that it was a good opportunity for the committee to work in concert with the executive without actually being an arm of the executive. That augers well for the future.

I am hoping that the commitment that we have to honest, open, transparent and meaningful consultation with people in the community who have an interest in our budgetary process will be mirrored by the government when it considers the recommendations that we bring forward. I am sure it will, given the demeanour of the Treasurer when he came to our committee. I look forward to advising the Assembly on community views and budget issues.

Education—Standing Committee Statement by chair

MS MacDONALD: I seek leave to make a statement regarding a new inquiry.

Leave granted.

MS MacDONALD: At its meeting on 12 February 2002 the Standing Committee on Education resolved to conduct an inquiry into the 2002-2003 ACT budget. The terms of reference are as follows:

Inquire into and report on priority areas for the service delivery in the 2002-2003 ACT Budget relating to:

- . Early childhood education and care;
- . Primary, secondary, post secondary and tertiary education;
- . Non-government education;
- . Arts and culture; and
- . Sport and recreation.

With particular reference (but not limited to)

- . The adequacy of resources provided to meet current needs;
- . Gaps in services; and
- . Any duplication of services and area identified for re-prioritisation.

Mr Speaker, I look forward to being able to report back to the Assembly on behalf of the committee the findings on community views and the impact of the budget on these areas.

Legal Affairs—Standing Committee

Statement by chair

MR STEFANIAK: Mr Speaker, I seek leave to make a statement regarding a new inquiry.

Leave granted.

MR STEFANIAK: At its meeting on 5 February 2002 the Standing Committee on Legal Affairs resolved to:

Inquire into and report on the priority areas for service delivery in the 2002-2003 ACT Budget in the areas of:

- . Courts;
- . Police and emergency services;
- . Corrections;
- . Law and order;
- . Consumer affairs;
- . Community and individual rights;
- . Civil liberties and human rights; and
- . Governance and industrial relations.

With particular reference (but not limited) to:

- . The adequacy of resources provided to meet current needs;
- . Gaps in services; and
- . Any duplication of services and areas identified for re-prioritization.

Planning and Environment—Standing Committee

Statement by chair

MRS DUNNE: I wish to make a statement pursuant to standing order 246A regarding a new inquiry.

Leave granted

MRS DUNNE: This is a bit déjà vu. On 18 January 2002 the Standing Committee on Planning and Environment agreed to undertake an inquiry into the delivery of services in programs that come within the committee's terms of reference. The committee was responding to an invitation made by the Treasurer in a statement to the Assembly on 13 December 2001 and repeated in a letter to the committee dated 20 December 2001.

The committee agreed that its inquiry should focus on gaps in the services provided, duplications of programs and areas where services could be enhanced. It also agreed to advertise in the press seeking written submissions and expressions of interest in the inquiry, with a view to holding public hearings.

The terms of reference of the inquiry are to examine the priority issues for the service delivery to be considered for the 2002-2003 budget in the areas of planning and land management, conservation and heritage, transport services and planning, the environment and ecological sustainability, with particular reference, but not limited to, the adequacy of resources provided to meet the current needs, gaps in services and any duplication of services and areas identified for reprioritisation.

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Public Accounts—Standing Committee Statement by chair

MR SMYTH: Mr Speaker, I seek leave to make a statement regarding a new inquiry.

Leave granted.

MR SMYTH: At its meeting of 30 January 2002, the Standing Committee on Public Accounts resolved to conduct an inquiry into the priority areas for service delivery in the 2002-2003 ACT budget with the following terms of reference:

Inquire into and report on budget issues and priorities in the 2002-2003 ACT Budget in the areas of:

- . Management of the ACT's public finances;
- . Matters relating specifically to economic and business development;
- . Small business;
- . Tourism;
- . Market and regulatory reform;
- . Public sector management;
- . Taxation; and
- . Revenue sustainability.

Rehabilitation of Offenders (Interim) Amendment Bill 2002

Debate resumed from 19 February 2002, on motion by **Mr Quinlan**:

That this bill be agreed to in principle.

MR SMYTH (11.19): Mr Speaker, the opposition will be supporting this bill today since it is of a simply administrative nature, fixing up the difference between “authorised officer” and “authorised official”.

The bill does have some degree of retrospectivity to it. We on this side are always cautious about retrospective legislation, but in this area we believe that it is appropriate. I would flag that the opposition is keen to see the bill concerning anthrax scares, which we will discuss later on, made retrospective as well. With that in mind and, given the simple nature of the bill, we will be supportive.

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (11.20), in reply: Thank you, members, for your support of the bill. Yes, it is a matter of correcting an oversight in the framing of the previous bill. It is an oversight that might have had considerable repercussions if the courts had chosen to make particular interpretations of the bill on the basis of any claims that might have been made.

Effectively, it ensures that the ACT parole system can work as it was originally intended to and, from the perspective of the prisoner, it ensures that time served during the intervening period in which the error was on foot will be counted towards the total time each prisoner is required to serve. It also allows for some effectiveness and efficiency

within the operation of the Supreme Court. I share with Mr Smyth concern about retrospective legislation. In this particular case, unfortunately, it is necessary. It is necessary to make right an error that was totally unintended in the original framing and passing of the bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 11.21 am to 2.30 pm.

Questions without notice

Gallop report

MR HUMPHRIES: My question is to the Chief Minister. Chief Minister, yesterday in question time you were asked a question about the supply of the terms of reference for the consultants that have been retained to assess the Gallop report and its aftermath, including the terms of reference for the consultancy let to Ms Anne Cross. You said in respect of that consultancy and the others yesterday:

The terms of reference for both the consultants and the disability reform group have been issued publicly. They were attached to my press releases in relation to these matters. They are out there. It is a pity that everybody in Canberra has seen them except for the Liberal Party. I am more than happy to table them and more than happy to provide them directly to you. But they have been publicly distributed and distributed widely. It is a real pity that you have not bothered until now to get hold of them.

With the greatest respect, Chief Minister, that statement is not true. Your media release does not contain attachments for the terms of reference for Ms Cross, nor does the website, nor does any other location on the public record that we have been able to ascertain.

If you say that these terms of reference have been issued publicly, will you point to where they may be obtained publicly? If they are not publicly issued as you said to the Assembly yesterday, will you apologise for misleading the Assembly and table those terms of reference at the first opportunity, particularly before the close of business this evening?

MR STANHOPE: I thank the Leader of the Opposition for the question. It was my understanding that the three sets of terms of reference—namely, the terms of reference for Anne Cross, the terms of reference for Mick Reid and the terms of reference for the disability reform group—had been circulated with media releases I had issued in relation to each of those matters. If that is not the case, I certainly do apologise.

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I have a distinct memory that certain of the terms of reference were circulated. Maybe I made a mistake and all three were not, but I would have to check that. I table all three sets of terms of reference now. I present the following papers:

Disability Reform Group—Terms of Reference

Health and Community Care System Organisational Arrangements—Government review—Copy of media release together with terms of reference, dated 1 February 2002 for release.

Office of Disability and Disability Reform Group—Engagement of Anne Cross as Independent expert adviser—Terms of Reference.

Williamsdale quarry

MR HARGREAVES: Mr Speaker, my question is to the Treasurer. Can the Treasurer bring the house up to date with respect to the operations of the Williamsdale quarry?

MR QUINLAN: Members would be aware that considerable difficulties have been experienced at the quarry virtually since the beginning. There have been a series of issues, Mr Speaker, quite often pointed up by your good self during the previous Assembly. However, I think it is sufficient to say that the quarry has become just another example of the star-crossed relationship that the previous government seemed to have with business. I think that it even got to the point of defying the law of averages. You would have reckoned that it would get just one right by sheer luck. But I have to advise that the quarry has not gone well.

I can advise the Assembly that in December the Totalcare board took the decision to cease funding the quarry. This reflected the board's view that the most commercially responsible path was to cease absorbing the losses that had been incurred at the quarry. I requested an investigation to be conducted into the operations of the quarry to enable the government—more particularly, the shareholders, Mr Stanhope and me in our respective positions—to be brought up to date and have a thorough knowledge of the status of the quarry and the options that might be available. That report was received by my office a short time ago.

Following the receipt of that report, I can advise the Assembly that the shareholders—the Chief Minister and I—have decided not to issue any instructions to the board of Totalcare with respect to the quarry; in effect, to accept the decision and to allow the board of Totalcare to make sensible commercial decisions with respect to the quarry. If that means that the board decides to cease funding, then the government will not countermand that decision.

MR HARGREAVES: I have a supplementary question, Mr Speaker. Can the minister advise the house of the future of the quarry?

MR QUINLAN: At this stage, that is an unknown quantity. Obviously, we have had discussions and Totalcare will be doing everything it can to ensure that the financial loss inflicted on the territory by another Liberal example of how not to do something—

Mr Humphries: That is why we said not to go in as 100 per cent shareholders, only to go in as 50 per cent shareholders, to minimise the risk.

Mr Stanhope: It hasn't worked.

Mr Humphries: You called on us to go in 100 per cent. You wanted us to have 100 per cent; that was what you wanted.

Mr Stanhope: And how much of the loss is the other mob picking up?

Mr Humphries: Fifty per cent.

MR QUINLAN: I might come back to that 50 per cent exposure that you think you put in place, Mr Humphries. You might be surprised at how well you did that as well.

I would like to take the opportunity to say that the quarry, quite obviously, is a resource that still will be a considerable asset to someone or some organisation with greater experience and knowledge in the running of quarries; but, at this stage, the Totalcare board has decided that it cannot run a quarry. It has also decided, I think, that the market structure is such that it would find it much more difficult than some of the larger corporations which are vertically integrated.

I table a copy of a letter from Totalcare advising of its decision. I would also like to advise the Assembly that I have taken what I consider to be the necessary legal advice in relation to this position and due process has been followed. I present the following paper:

Williamsdale Quarry—Actions of Totalcare Board in respect of its investments—
Copy of letter from B R Glanville, Chairman, Totalcare Industries Limited to
Mr Ted Quinlan, MLA, Treasurer, dated 20 February 2002.

Revenue options

MR STEFANIAK: My question is to Mr Wood, the Minister for Urban Services. Minister, having received a briefing from your department on increases to fuel taxes and vehicle registration, and the introduction of paid parking in the Belconnen town centre, are there any other revenue options which have been put to you?

MR WOOD: Mr Speaker, I will respond in the way that I believe Mr Quinlan has responded—that it is not a matter of in or out at all at this stage. It is an intriguing question. You have got the briefs to the incoming government. I have no doubt at all that had you lot over there been returned to government you would be receiving exactly the same advice on a range of issues. This is more particularly the case because, as is now readily confirmed, your last budget extended the expenditure side quite a deal. Because of the pre-election spend-up, you would have had to find some measure to make up for the vote buying.

It is intriguing. The question is fairly asked: how would you respond to such advice? That is speculation. There is a vast range of advice. There may be a range of questions that we can expect over the next few days on the issues in those briefing notes. The

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question “What would you do?” can be thrown back at you. This is a comment by a range of departments on a number of issues. It is as simple as that.

Mr Humphries: Then rule it out.

MR WOOD: No, I am not going to rule it in or out. I have not considered it. In fact, I passed over that particular briefing fairly quickly. There were some briefs to which I paid more attention.

Mr Humphries: I am not surprised. I would burn it if I were you.

MR SPEAKER: Let the minister answer the question.

MR WOOD: I have answered the question, Mr Speaker. It is not an in or out business. It is not on my agenda particularly. It was not part of our pre-election commitments. We did not commit anything in that respect, and it is as simple as that.

MR STEFANIAK: Mr Speaker, I have a supplementary question. Mr Wood, do you have a policy then of treating all town centres equally and, if you do, what does this imply for other town centres? Finally, I always thought incoming briefs dealt with the policies of the new government.

MR WOOD: Go back and read those briefings. They raise a whole lot of issues from the former government as well as raising issues from within our government. It is as simple as that. You ought to read a little more carefully.

Class sizes

MR PRATT: My question is to Mr Corbell in his capacity as education minister. In the current budget, under which your government continues to operate, there is provision for a reduction in class sizes down to 25 for years 1 and 2 in government primary schools this calendar year. How many additional teachers were employed this year to implement this initiative of the Humphries government?

MR CORBELL: Mr Speaker, if Mr Pratt cannot ask Mr Stefaniak that question, I am happy to get the information for him.

Gungahlin Drive extension

MS TUCKER: My question is directed to the Minister for Planning, Mr Corbell. Mr Corbell, at various times during the election campaign, and afterwards, you said that the ALP was committed to building the Gungahlin Drive extension on the western side of the AIS to the same timetable as the former Liberal government and that you would also be conducting an environmental impact assessment of the western alignment. To me these statements seem contradictory. If you have already decided to build the road, what would you hope to achieve by undertaking an environmental impact assessment of the route, which, if done well, should also assess the possibility that alternative development options may be better than what is being proposed.

Is this just an attempt to appease the large section of the community that is very concerned about the environmental impact of any road on Bruce and O'Connor ridges? Is it also not the case, Minister, that you are anyway legally obliged to do a preliminary environmental assessment of this road under appendix II of the Territory Plan, which sets out which types of development, including major roads, require a mandatory preliminary assessment?

MR CORBELL: I do not accept Ms Tucker's assertion that these two things are mutually incompatible. An assessment of environment impact is required, and it is part of the government's election commitment. We will be undertaking that assessment in a way separate from any engineering or other analysis that needs to occur in relation to the development of the western alignment.

It is important to note that there is always the possibility that an environmental impact assessment will rule out certain options. But the experience to date of environmental impact assessment indicates that it will identify the alignment that takes most account of the environmental issues associated with the development of the road. That is the range of issues that the environmental impact assessment will undertake. That work has been commissioned through a consultant.

In relation to the provisions of the Territory Plan and the need for a preliminary assessment, I will need to take some advice from the department on whether or not that is formally triggered, whether there is a need for another preliminary assessment or whether the preliminary assessment already undertaken is sufficient—that is, the preliminary assessment in relation to the work undertaken by the previous government. I will get back to the member on that question.

MS TUCKER: Mr Speaker, I have a supplementary question. Minister, could you give me a copy of the terms of reference for the environmental impact assessment? Can you also tell me who is conducting this assessment, what community consultation will be undertaken and whether the assessment will also include an assessment of the duplication of Caswell Drive and the upgrading of Glenloch interchange, which are integral parts of this road project?

MR CORBELL: I will take the question on notice and get the information to the member if at all possible.

Planning

MRS DUNNE: Mr Speaker, might I compliment you on your tie. My question is to the Minister for Planning. Minister, in your statement to the Assembly on 11 December—in your first fine, careless rapture of government—you urged us to challenge conventional thinking about planning. You said:

I would ask members of the Assembly, especially those who will serve on our committees, to think strategically about planning and how we can achieve the best outcomes for Canberra. It is time to challenge the community, the professions and members of this place about contemporary planning practice and the way in which the Assembly can play its role.

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Yesterday the Assembly did just that with regard to the terms of reference for the transport study, with which you expressed your disapproval. Therefore, Minister, do you resile from what you said in your ministerial statement in this place in December, or was it merely more empty rhetoric aimed at enhancing a policy approach that has been seen through?

MR CORBELL: I do not know whether the question is in accordance with the standing orders, but no, I do not resile from my comments.

MRS DUNNE: Mr Minister, can you inform the Assembly what you meant in your reference, and can you outline your thinking on an appropriate way for the Assembly to consider planning?

MR CORBELL: I am very happy to answer Mrs Dunne's question. The issue which I was seeking to raise and which this government has been seeking to raise since the election is that planning needs to be viewed on a strategic whole-of-city basis rather than simply on the detail around particular planning decisions and particular development decisions. That is why the government has sought to emphasise the role for a strategic plan for the city. I think it is appropriate that as an Assembly we look at ways we can operate in focusing on those broad strategic questions in terms of our long-term vision for the city, how we believe the city will grow and develop into the future and how a strategic plan can enhance that.

It is interesting that these comments come from Mrs Dunne, because only yesterday we heard Mrs Dunne hark back to the cold war terminology of Soviet-style five-year plans and state planning, saying, "How dare this government take a proactive role towards planning for the future of our city. How dare this government seek to impose a strategic plan on us when really we should let the market do its best." That was the philosophy we heard from Mrs Dunne yesterday. It is a very regrettable philosophy, and it is exactly the philosophy that led to the Liberals receiving one of their poorest votes in a range of inner city suburbs across the city at the last election because of the deleterious impact their planning policies had on those garden city suburbs.

Canberra Day celebrations

MS GALLAGHER: My question is to the Minister for Urban Services, Mr Wood. There have been suggestions that the Canberra Day festivities on 18 March could not be held on the lawns in front of old Parliament House because of difficulties with the tent embassy. Can the minister please tell the Assembly what the current situation is?

MR WOOD: Difficulties with the tent embassy—reports on that basis were wrong. In general, the government's relationship with the Aboriginal tent embassy is positive. The tent embassy has clearly indicated that they welcome our Canberra Day events. There is no problem there. There is, however, a logistical problem that will affect part of the celebrations, but it is not related to the Aboriginal tent embassy.

Planning for the Canberra Day celebrations on 18 March had been based on locating all of the events in the area in front of old Parliament House and down towards the Reconciliation Place site. Those events include the balloon fiesta, ACT Alive, Motorfest, the community parade, Navy Day activities and lunchtime and evening concerts.

It had been anticipated that the fence surrounding the construction works for Commonwealth Place and Reconciliation Place would have been dismantled before Canberra Day. That is now unlikely. It is now apparent that the full site cannot be guaranteed in time for the event. This imposes insurmountable problems for staging and public safety for some elements of the celebrations. As a result, these parts of the Canberra Day celebrations have been relocated to the northern foreshore of Lake Burley Griffin adjacent to Commonwealth Park at the bottom of Anzac Parade, to ensure that there is adequate space for the whole event and its expected large audiences. This location offers a splendid setting for the celebration of Canberra's birthday.

Moving these particular activities will also free up more space in front of old Parliament House for the Canberra balloon fiesta, which is promising to be bigger than ever this year, with some 40 balloons likely to participate. The highly popular FM104.7 Skyfire—crackers—will also take place around Lake Burley Griffin on the preceding weekend.

Other events in the week leading up to and on Canberra Day will take place at a range of locations, including Taste of Canberra in Commonwealth Park and the *Canberra Times* outdoor art show in Glebe Park. The National Capital Authority has been very supportive of the Canberra Day celebrations and has facilitated approvals for both the northern foreshore site and the balloon fiesta in front of old Parliament House.

I would like to thank the Canberra Day Celebrations Committee, chaired by Ms Betty Churcher, for their work on the event. In particular, I would like to urge all Canberrans to attend and enjoy and celebrate Canberra Day, our birthday, for 2002. Members might also remember that that day is also a celebration of a significant and happy yearly event for one of our members.

ACTION bus services

MRS CROSS: Mr Speaker, my question is to Mr Corbell in his capacity as transport minister. Mr Corbell, the 1997 Graham report into ACTION services considered at length flat fare structures for public bus travel. This report was then analysed by independent transport economists Booz Allen and Hamilton. Their advice to the former government was that flat and single zone fares were not a viable option for Canberra public transport. While some customers were advantaged because those who travelled short distances subsidise those who lived in outer areas, is it not true that, according to departmental advice, your intention to introduce single-zone timed bus fares would adversely impact on low income earners who do not qualify for concessions? Is it not also the case that timed fares encourage short trips by private car?

MR CORBELL: I don't see how reducing the bus fare can adversely impact low income earners. I do not understand the logic. The government is not of the view that reducing bus fares will adversely impact low income earners.

Mr Humphries: You are not decreasing the bus fare in every case.

MR SPEAKER: Order, Mr Humphries! Mrs Cross asked Mr Corbell a question. I am sure she wants to hear the answer without interjections.

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MR CORBELL: Indeed, Mr Speaker, if you live in Amaroo then having to pay twice to get to Civic is, I would suggest, a very real imposition—an imposition placed by the previous Liberal government on people who live in suburbs like Amaroo, where it is cheaper to drive your car to Civic and pay for parking than it is to catch a bus.

Mr Quinlan: They didn't know there were people living there.

MR CORBELL: Mr Quinlan interjects, "Perhaps that is because they don't know that people live in Amaroo." That may be the case. But we certainly know that people live in Amaroo, Ngunnawal, Nicholls, Condor and Banks and all the other distant parts of our city from Civic. We are very concerned to make sure that people who live in outer areas get better access to public transport and that is why we are committed to abolishing the unfair and discriminatory zonal bus fare system.

So I do not accept for a moment that having a single bus fare system will unfairly discriminate against low income earners. Indeed, I would argue that it is exactly the reverse.

MRS CROSS: Mr Speaker, I ask a supplementary question. Minister, I am puzzled because it sounds like you don't agree with the brief from the department. What advice has your department provided regarding your intention to change to single-zone timed bus fares? Can you confirm that such a change would cause an estimated revenue loss of \$1.7 million annually? Can you also confirm that this represents an average fare increase of about 17 per cent, or 40c per trip?

MR CORBELL: Mr Speaker, I have received all that advice from the department. As members would be aware, that was advice provided to the incoming government, without any discussion with this government before it was provided. I think that is a very important point to make in respect of all these questions that we are going to receive on incoming government briefs.

These are not briefs prepared following discussion with ministers. Indeed, quite the reverse. These are briefs prepared without any discussion with ministers and reflect the public service's best possible understanding of the issues raised by the incoming government, along with other issues that they believe the incoming government should be aware of.

Mr Speaker, in that context the public service has raised with me the figures that Mrs Cross quotes. The government is currently considering its options in relation to providing the single-zone bus fare and the opposition should not for a moment go out and argue that it will mean a significant increase in fares or the sort of loss necessarily that Mrs Cross alludes to.

The government will look at all of its options and will decide on the most appropriate process and the most appropriate structure to introduce its election commitment—a commitment designed to redress the grossly unfair and discriminatory nature of the zonal bus fare system imposed on the community by the ACT Liberals.

Media releases

MS DUNDAS: My question is to the Minister for Education, Youth and Family Services. On 13 December 2001, Mr Stefaniak asked Mr Wood about the lack of media releases from him on the ACT government media release website. At that stage, Mr Wood indicated that it would be fairly well known around here that he is not addicted to putting out reams and reams of media statements. That being said, he now has 20 releases on this site, whereas it appears, Mr Corbell, that you have none. Have you not put out any media releases since being appointed a minister or do you prefer the people of Canberra not to be advised of your activities as a minister?

MR CORBELL: As Ms Dundas well knows, I do put out media statements. I am very happy to provide Ms Dundas with copies of the media statements I have issued over the past week, if she would be interested in them. I am not aware of why media releases have not been put on the government's website. I am not personally responsible for putting my media release up on the net. Nevertheless, I am concerned that they are not there and I will ensure that they are put up there as soon as possible.

Education spending

MR CORNWELL: Mr Speaker, my question is to Mr Corbell as minister for education. Minister, you stated publicly recently, I think it was on radio, that the \$27 million for education would be spent over the next one to two years. What advice have you received from your department and Treasury—that is, the public servants you were just talking about with respect to another question—and from the Treasurer himself on this proposal to spend the \$27 million over the next one to two years? Will you table that advice by the close of business today?

MR CORBELL: No, I will not table any such advice because it is cabinet-in-confidence in the context of developing this year's budget. That is an entirely appropriate process of which members opposite, particularly Mr Humphries, Mr Smyth and Mr Stefaniak, would be well aware. Perhaps Mr Cornwell is not aware of it because he has never been involved in that process, Mr Speaker. Nevertheless, that process is in place.

I need also to make very clear that the government will be looking at all the options in terms of the expenditure of the \$27 million which the Liberals tried to use as a vote-buying effort in the last election. Far from attempting to provide a relatively minor benefit to not the greatest number of people possible in the ACT, we will do that by spending it in the schools. We will do that by spending it in schools to the benefit of teachers, children and their parents who use our schools. That is a far more progressive approach than the one prepared to be undertaken by those opposite and is an entirely appropriate approach for this government.

On the issue of when the \$27 million will be spent, we will be looking at spending it over a timeframe that gives the greatest benefit as promptly as possible. One to two years is an option; equally, over a four-year period is an option. All these things will be considered in the context of the current budget.

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MR CORNWELL: I have a supplementary question, Mr Speaker. I am heartened to hear that but, as this money has not been included in budgets or forward estimates, what will be the impact on other expenditures in the education budget, or aren't you sure of that yet?

MR CORBELL: Mr Speaker, it has been included in forward estimates. It was included in the forward estimates of the previous government's budget for ACTION for the provision of free school buses. We will be looking at spending that money instead in the education sector. This government is open in getting the views of people as to how this money should be spent. I have already referred the matter to the new Government Schools Advisory Council for its opinion on the most appropriate areas of priority for the expenditure of this money. Equally, I will be making a similar reference to the non-government schools advisory body so that it can also provide views to the government in the context of the forthcoming budget about where it believes the priority areas to be. We will be looking then at the most appropriate mix in terms of the provision of funding and the timeframe in which it will occur.

Education spending

MR SMYTH: My question is for the Treasurer. Mr Quinlan, given the non-answer from Mr Corbell, how would the ACT coffers be able to sustain an additional hit to the bottom line if there were to be the planned \$27 million increase over one to two years in education funding which Mr Corbell intends, and how does his plan fit with your comments that the cupboard is bare?

MR QUINLAN: The first point that has to be made is the obvious point that the \$27 million was originally a mixture—

MR SPEAKER: I think the question was a little bit on the hypothetical side, wasn't it?

MR QUINLAN: We will get to that, but I am not going to say too much. They will be squealing.

MR SPEAKER: I call Mr Quinlan, if he want to answer it.

MR QUINLAN: I do not think they will be jumping for joy by the time I have finished my answer, Mr Speaker.

MR SPEAKER: I suppose that is the intent, isn't it?

MR QUINLAN: Most members of this place will be aware that the original expenditure was a mixture of capital and operating expenditure. That will continue to be the case. As this government said and as Mr Corbell said before the election, the intent was that we would do this on a needs basis and that there would be inquiries. We cannot specifically say where the money is going to. If you think there is any mileage in putting together a string of questions asking about this bit of a budget and that bit of a budget that is going to come down in June, you have to be dreaming.

MR SMYTH: Mr Quinlan, given that you have just confirmed what we have said all along—that there never was an additional \$27 million that could be spent in education—where will the money now come from?

MR SPEAKER: Cut the preamble. Resume your seat. We have had the argument about preambles in supplementary questions.

Mr Smyth: Mr Speaker, in what manner was it a preamble? I am just confirming what the minister has just said in his answer. I am asking him to confirm that he said that.

MR SPEAKER: Resume your seat. Are there any further questions?

Mr Humphries: I take a point of order, Mr Speaker. Preambles disqualified in the past have been statements or assertions which are not part of a question.

MR SPEAKER: Mr Humphries, when a member climbs to his feet and starts off a supplementary question with the words “Given that” I think that is a good start to a preamble, and I am not going to allow it. Next question.

Mr Humphries: Mr Speaker, it is the usual courtesy—

MR SPEAKER: I have ruled on the matter. I am not going—

Mr Humphries: You have not heard my submission on the subject, Mr Speaker. I think it is the usual courtesy at least to hear the submission I make before you make your ruling.

MR SPEAKER: I was trying to read your mind. It was pretty open. But go for your life.

Mr Humphries: I am sorry to irritate you, Mr Speaker, on this matter, but it is a fairly important one. It has been the case in the past in this place that statements which are divorced from questions have been ruled to be preambles, in the same way that statements are often made before substantive questions are asked. It is perfectly fair and appropriate in terms of standing orders not to allow such questions.

But it is almost impossible not to have some subject matter within the body of a question. Saying, “Given the minister’s previous answer, will you now say this?” or “Given what your colleague Mr Corbell has said, will you now say that?” is a perfectly appropriate question, surely. It contains no preamble whatsoever. To say that a question must be out of order because it includes the words “Given that” is far too broad a generalisation. You did not hear the whole of Mr Smyth’s question. With respect, I have seen his question, and I know it does not contain a preamble at all.

Mr Corbell: On the point of order, Mr Speaker: if everything Mr Humphries says were true, he would probably have an argument, but unfortunately he fails to address the substantive part of Mr Smyth’s preamble, which is an assertion that Mr Quinlan was agreeing with what the Liberal Party was saying. That was quite an inappropriate preamble to put to the question, and your ruling is entirely appropriate.

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Mr Humphries: Mr Speaker, there is no standing order that says you cannot make some reference to the Liberal Party in a question. I am not aware of any standing order that says that. Nor is there a standing order that says you cannot begin a question with “Given that”. I can give you plenty of examples of questions that include that kind of phrase that would not be considered as having a preamble—for example, “Given that you said the opposite yesterday, will you now concede you are wrong?” Is that a preamble? It would be foolish to suggest that. I would ask you to reconsider the ruling you have made.

MR SPEAKER: No, I have ruled on the matter.

Tourism and Events Corporation—appointment of chief executive officer

MS MacDONALD: Mr Speaker, my question is to the Deputy Chief Minister and relates to the recent appointment of Mr Ross MacDairmid as chief executive officer of the Canberra Tourism and Events Corporation. I ask: can the minister advise the house if the appointment was made in accordance with the appropriate legislation?

MR QUINLAN: Thank you, Ms MacDonald. The answer is: the appointment was certainly made within the terms of the legislation. The CTEC Act clearly states that the appointment of the CEO falls under the public service management provisions and is, therefore, made by the chief executive of the Chief Minister’s Department.

I can also advise the house that I sought legal advice before the appointment was made to confirm that the appointment was the chief executive’s to make and not mine. It is clear; it is in black and white; it is in the act; no ambiguity whatsoever—which, Mr Speaker, I have to say is why it is surprising that the Deputy Leader of the Opposition then goes ahead and makes completely unfounded and irresponsible claims that I have personally interfered with due process.

The accusation that one has interfered with due process is quite serious. I have recollections, when sitting on the other side of the house during the last Assembly, of Mr Smyth more than once being required to stand and withdraw or apologise or correct some intemperate or hasty remark that he had made. I would actually counsel the Leader of the Opposition to keep a weather eye on this particular habit that seems to have grown, because Mr Smyth quite clearly got this wrong—not only got it wrong but went on to loudly display his ignorance on radio and through the *Canberra Times*.

I do think that this house should aspire to higher standards than that. There were a couple of grubby incidents that I was virtually the subject of during the last Assembly, and I do hope that, from this point on, we will have a higher standard in this Assembly.

With relation to the appointment itself, let me say that, as minister, I am not a cipher or a rubber-stamp. I will take advice. I will always allow those that advise me to advise in a free and fearless manner, but I will also administer my responsibilities and I will be responsible.

There seems to have been a continuing theme in this place that past ministers of this place were not responsible for anything. Quite clearly, in this place, you cannot be responsible for every action taken by every administrator, but there are serious matters

that occur from time to time for which you are responsible. I rather think that we should be aspiring to a higher standard.

MR SPEAKER: Ms MacDonald has a supplementary question.

MS MacDONALD: Can the minister advise the house if the process used in the appointment of Mr MacDairmid was the same process used in previous appointments?

MR QUINLAN: Yes, Mr Speaker, in fact, I can. I suppose that the most remarkable aspect of this grubby little episode is that the process used was, indeed, the same process as was used when the immediate past CEO was appointed when Mr Smyth was the minister for tourism. Papers came forward. I am sure if Mr Smyth thought of himself as merely a rubber-stamp or sat at his desk and believed he did not have any responsibility to evaluate the advice that he had received and to not assume the responsibilities of minister, well, all I can say is that we have been through a bad patch.

Let me repeat to the house: the process used for this appointment is exactly the same process used in previous appointments. I might add just one postscript. I do have sympathies for other candidates who were in the running for this job but did not get it. However, I have to say that, across the tourism industry, there has been a constant theme that the appointment of Mr MacDairmid was the right choice, and the industry is very happy that that decision was made.

Mr Stanhope: I ask that further questions be placed on the notice paper.

Gallop report

MR STANHOPE: Mr Speaker, yesterday I undertook to provide some clarification or further clarification to a question asked by Ms Cross in relation to the natural justice rights of Justice Gallop. I will provide that information for the benefit of Ms Cross and members.

Mrs Cross: Mrs Cross, thank you.

MR STANHOPE: I beg your pardon. I meant no disrespect; I wasn't aware of that. Mrs Cross asked yesterday whether or not my response to certain matters in relation to the Gallop report infringed Justice Gallop's rights to natural justice.

The department has provided this advice to me in relation to that particular issue. The rules of natural justice require basically two things. The first is that no person should be deprived of their rights without being given the opportunity of a hearing. The second is that the decision maker must be above any reasonable suspicion of bias.

Justice Gallop was appointed by the executive pursuant to section 5 of the Inquiries Act 1991. Section 14 of that act requires the board of inquiry to present a report to the Chief Minister, which it did in December 2001. Justice Gallop ceased to hold office following presentation of the report.

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There is no legal requirement on me, or any other member of this place, to act on any of the recommendations. The government is under no obligation to adopt the recommendations. It is under no duty to consult with Justice Gallop about his recommendations. Indeed, his role as a commissioner has come to an end.

The Chief Minister, or any other member, would not be interfering with Justice Gallop's rights in commenting on his report. This is not an issue where a decision has been taken to affect any rights held by Justice Gallop. He has conducted the inquiry and provided a report to the government without interference.

There is no question of Justice Gallop's rights being affected by any comments made about the report. I hope that clarifies the situation of Justice Gallop's rights to natural justice, Mrs Cross.

Litter

MR WOOD: Mr Speaker, I would like to elaborate on a question from Mr Cornwell yesterday about Rond Pond. As you know, the pond has several functions. It controls the litter brought down in the stormwater system and prevents this litter from accumulating in Commonwealth Park or entering Lake Burley Griffin. It is also ornamental most of the time.

A cage near the point where the stormwater pipes enter Rond Pond contains most of the rubbish within the pipe system. During very heavy stormwater flows, such as those that occurred on Saturday 16 February, this rubbish is washed out into Rond Pond. The pond is inspected after each storm and subsequently placed on the priority list for cleaning if required. Cleaning of the pond is being carried out by the maintenance contractors this afternoon. There are 80 such ponds and traps in the ACT. Each one is inspected following a storm, and there is quite a deal of work to do after a storm of the nature that we experienced.

Class sizes

MR CORBELL: Mr Speaker, further to Mr Pratt's question in question time today about the number of additional teachers to be recruited for the smaller class sizes initiative, I am happy to advise him that an additional 140 teachers will be recruited for the kindergarten and year 2 stage of the program over the next three-year period, the 2002 to 2004 financial years. This year 45 additional teachers have been employed. Mr Speaker, an additional 55 teachers will be required to reduce the year 3 classes to 21 students per class in 2004. I hope that answers Mr Pratt's question.

ACTION bus services

MR CORBELL: In relation to Mrs Cross's question about Booz Allen and Hamilton's assessment of the Liberal's free school bus scheme, I do not have any additional information in relation to the free school bus scheme but I should point out to Mrs Cross and Booz Allen and Hamilton also advised a former Chief Minister, Mrs Carnell, that she could save over \$10 million per annum in health in hospitals alone. Mr Speaker, I am advised that the following year she had to ask for an additional \$14 million. This says something about the advice in that respect.

Supplementary questions—preamble

MR SPEAKER: Members, I wish to remove any confusion about the issue of preambles in supplementary questions. I draw members' attention to page 529 of *House of Representatives Practice*. I quote in part from that document:

The use of prefaces is to be avoided and a member called to ask a question places the retention of the call at risk if comment is made relating to an answer just given, or some other extraneous matter.

I would also draw member's attention to standing order 119, which states:

Immediately following the oral answer to a question, one supplementary question may be asked by the Member who asked the original question: provided that the supplementary question is relevant to the original question or arises out of the answer given, contains no preamble, introduces no new matter and is put in precise and direct terms.

In this place one is called upon to exercise one's discretion in relation to these matters, and a little banter from time to time is tolerated and will continue to be by the chair. But I will also exercise a discretion to deal with what I see as a deliberate means to circumvent the intention of that standing order, and that is why the ruling was made in question time.

Public Sector Management Act Papers and statement by minister

MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women): Mr Speaker, for the information of members I present the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long term contracts:

Alan Thompson, dated 7 December 2001
George Tomlins, dated 21 December 2001
Mandy Hillson, dated 6 December 2001

Short term contracts:

Mark Jensen, dated 6 December 2001
Peter Gordon, dated 13 December 2001
Geoff Keogh, dated 12 December 2001
Peter Ottesen, dated 31 October 2001
Nick Horn, dated 14 December 2001
Ian Primrose, dated 14 January 2002
Gordon Lee Koo, dated 10 December 2001

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Schedule D variation:

Peter Gordon, dated 21 December 2001
Lucy Bitmead
Geoff Keogh, dated 21 December 2001
Peter Ottesen, dated 7 January 2002
Andrew Clark, dated 21 December 2001
Dorte Ekelund, dated 7 February 2002
Stephen Ryan, dated 21 December 2001
David Butt, dated 10 December 2001
Michael Ockwell, dated 29 January 2001
John Meyer, dated 19 December 2001
Laurann Yen, dated 22 January 2002

I ask for leave to make a statement in relation to the contracts.

Leave granted.

MR STANHOPE: These documents are tabled in accordance with sections 31A and 79 of the Public Sector Management Act, which requires the tabling of all executive contracts and contract variations. Contracts were previously tabled on 11 December 2001.

Today I have presented three long-term contracts, six short-term contracts, and 10 contract variations. The details of the contracts will be circulated to members. The information within these documents relates to the personal affairs of individuals, and I ask that this information be dealt with sensitively.

Papers

Mr STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women): Mr Speaker, for the information of members I present the following papers:

Remuneration Tribunal Act 1995, pursuant to subsection 10 (1)—Determination No 99 together with statements relating to part-time holders of public office, dated 1 February 2002.
Public Hospitals Acute Care Services Activity Report—First Quarter 2001-02.

I ask for leave to make a statement in relation to the determination from the Remuneration Tribunal and the executive contracts.

Leave granted.

MR STANHOPE: Mr Speaker, I have presented one ACT Remuneration Tribunal determination, together with a statement. The determination is tabled in accordance with section 12 of the Remuneration Tribunal Act, which requires the tabling of all determinations. Determinations were previously tabled on 11 December 2001. The details of the determinations will be circulated to members.

Finance and Public Administration—Standing Committee Report No 27—government response

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections): Mr Speaker, for the information of members I present the following paper:

Finance and Public—Standing Committee (Fourth Assembly)—Report No 27—The presentation and framework of the Capital Works Program (*presented 30 August 2001*)—Government response.

I ask for leave to make a statement.

Leave granted.

MR QUINLAN: In this report the committee raised concerns in relation to the presentation and reconciliation of previous capital works programs, including project tracking, reconfirmation of priorities, and identification of projects that have been delayed, varied or have fallen off the works program.

Since the time of this report Treasury have redesigned capital works reporting, including the introduction and refinement of quarterly reporting. Many advances have already been made to assist in improving accountability within the program. These are detailed further in the government response.

The response also outlines additional improvements to further promote accountability and disclosure within the program. These improvements are planned to be implemented over the next year and include:

- clear information on project variations;
- improved reporting and better reconciliation of the program in agency's financial statements;
- complete disclosure of indicative future costs of projects in the budget papers;
- identification of potential consultation issues prior to project construction phase; and
- more rigorous assessment of projects which have experienced delays.

Mr Speaker, the original report was a testament to the way the committee structure can work in this place in putting forward constructive proposals. I congratulate our committee, mainly because I chaired it. I find myself in the unique situation of responding to a report to which in large part I contributed. I suppose we will get past that phase.

Lease variations Paper

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations): Mr Speaker, for the information of members, at Tuesday's sitting of the Assembly I presented a schedule of lease variations and change of use charges for the period 1 July 2001 to 30 September 2001, and the schedule of leases granted for the same period pursuant to the Land (Planning and Environment) Act 1991. In my tabling statement I referred to an additional document. I now present the following paper:

Land (Planning and Environment) Act—Copy of lease granted under disallowable instrument number 288 of 1997 for the direct grant of land for any or all of commercial residential and industrial and tourism purposes, dated 26 November 2001.

Mr Speaker, I seek leave to make a statement.

Leave granted.

MR CORBELL: Mr Speaker, this lease was granted to Stewart Barlen Pty Ltd for block 26, section 37, Fyshwick to enable an extension of the existing facilities on block 18, section 37, Fyshwick. The consolidated parcel is now known as block 33, section 37, Fyshwick.

Block 26 is part of an area of land that was a 45 metre-wide electricity easement. There are a number of leases that back onto this land. The lines and poles have been removed and it is possible for the land to be sold for industrial purposes.

The feasibility of constructing a road to provide access to the land so it could be released through an open and competitive process was considered. However, the financial analysis indicated that this did not justify the construction of a new road.

Block 26, section 37, Fyshwick is landlocked, and the condition of the grant was that it be consolidated with the existing contiguous property—that is, block 18. Mr Speaker, the land is being sold at market value. The Australian Valuation Office has determined that the value of the land is \$174,000.

Subordinate legislation Papers

Mr Wood presented the following papers:

Subordinate Laws Act, pursuant to section 6—
ACTION Authority Act—Transfer of employees to ACTION Authority—
Disallowable Instrument No 3 of 2002 (LR, 10 January 2002).
Animal Diseases Act—
Declaration of exotic diseases—Disallowable Instrument No 8 of 2002
(LR, 24 January 2002).
Declaration of endemic diseases—Disallowable Instrument No 9 of 2002
(LR, 24 January 2002).

Declaration of endemic stock disease quarantine area—Disallowable Instrument DI2002–16 (LR, 14 February 2002).

Financial Management Act—Financial Management Guidelines 2001—Disallowable Instrument 2001 No 345 (LR, 19 December 2001).

Health and Community Care Services Act—

Determination of dental service fees and charges—Disallowable Instrument DI2002–5 (LR, 31 January 2002)

Determination of interest charge—Disallowable Instrument DI2002–15 (LR, 7 February 2002).

Independent Competition and Regulatory Commission Act—Reference for investigation under section 15 into full retail contestability for electricity—Disallowable Instrument DI2001–346 (LR, 19 December 2001).

Land (Planning and Environment) Act—Land (Planning and Environment) Regulations 1992—Remissions of change of use charges No 1 of 2002—Disallowable Instrument DI2002–13 (LR, 4 February 2001).

Motor Traffic Act—Road Transport (Driving Licensing) Regulations 2000—Amendment of code of practice for accredited driving instructors—Disallowable Instrument DI2002 – 7 (LR, 24 January 2002)

Public Place Names Act—

Street Nomenclature—Dunlop—Disallowable Instrument No 347 of 2001 (LR, 19 December 2001).

Street Nomenclature—Nicholls—Disallowable Instrument No 14 of 2002 (LR, 4 February 2002).

Public Sector Management Act—Public Sector Management Amendment Standards 2001—Disallowable Instrument No 348 (LR, 20 December 2001)

Race and Sports Bookmaking Act—

Determination of rules for sports bookmaking—Disallowable Instrument DI2001–341 (LR, 13 December 2001)

Determination of sports bookmaking venue—Disallowable Instrument DI2002–6 (LR, 24 January 2002)

Rates and Land Tax Act—

Determination of rates and land tax interest rates—No 1 of 2001—Disallowable Instrument DI2001–342 (LR, 17 December 2001)

Determination of rates and land tax interest rates—No 2 of 2001—Disallowable Instrument DI2001–343 (LR, 17 December 2001)

Road Transport (General) Act—

Declaration that the road transport legislation does not apply to certain vehicles or persons—Disallowable Instrument No 1 of 2002 (LR, 2 January 2002).

Declaration that the road transport legislation does not apply to certain vehicles or persons—Disallowable Instrument No 2 of 2002 (LR, 2 January 2002).

Road Transport (Offences) Regulations 2001—Declaration of holiday period (first moment of Wednesday 26 December 2001 to the last moment of Thursday 27 December 2001 (inclusive))—Disallowable Instrument No 344 of 2001 (LR, 17 December 2001).

Road Transport (Offences) Amendment Regulations 2001—Subordinate Law 2001 No 49 (LR, 20 December 2001)

Road Transport (Safety and Traffic Management) Act—Road Transport (Safety and Traffic Management) Regulations 2001—Disallowable Instrument DI 4 of 2002 (LR, 7 January 2002)

Supreme Court Act—Supreme Court Amendment Rules 2001 (No 3)—Subordinate Law 2001 No 48 (LR, 1 February 2002).

Taxation Administration Act—Determination of amounts payable under tax laws—Disallowable Instrument DI2002–10 (LR, 31 January 2002)

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Orders of the day—postponement

MR WOOD (Minister for Urban Services and Minister for the Arts) (3.27): I move:

That orders of the day Nos 2 to 6, executive business be postponed until the next day of sitting.

This will enable us to move on to the business from yesterday.

Question resolved in the affirmative.

Annual reports—implementation of committee recommendations

MS TUCKER (3.28): I have a motion standing in my name on the notice paper relating to the reporting of progress on the implementation of committee recommendations in annual reports. I move:

That:

- (1) this Assembly calls upon the Chief Minister to include in any relevant instrument relating to the information to be included in annual reports made pursuant to the provisions of the *Annual Reports (Government Agencies) Act 1995* directions to include a schedule outlining action that has been achieved and is in progress on the implementation of recommendations of Assembly standing and select committees that have been accepted by the Government of the day in any response to those committee reports;
- (2) this provision commence in relation to the current Government's responses to committee reports of the Fourth Assembly, and, after initial publication, the schedules included in subsequent annual reports only need include information required on achievements in the relevant period and action that remains outstanding; and
- (3) this resolution have effect from the commencement of the Fifth Assembly and continue in force unless and until amended or repealed by this or a subsequent Assembly or the relevant provisions of the legislation are amended by an Assembly.

In essence, this motion seeks to establish an annual check-up on progress towards agreed to committee recommendations. We all know that committee work involves a lot of time and energy of members of the community, members of this Assembly and members of the secretariat. The intent of this motion is to ensure that this valuable work is not lost and that there is a mechanism to ensure that the implementation of agreed to recommendations is monitored and kept in the consciousness of members of this Assembly.

Currently the government and departments may or may not be getting on with the work. Usually committees are busy moving on to other items. Of course, individual members of this Assembly have a big workload and, as individuals, do not always manage to keep an eye on what has happened, even though they may have been very involved with the committee that came up with particular recommendations. So the idea of this motion is to structure into the process of annual reporting a monitoring of the work of committees.

I believe it is important that the community have confidence in our committee system. On a couple of occasions I have found myself, as the chair of a committee and with the support of other committee members, having to make recommendations which we had already made in previous committees. It is quite disturbing when you realise that the same issues are coming up some years later. You realise that nothing has progressed. Of course, the disability field is one that we are all very conscious of at the moment and is a very classic example of this failure to achieve real progress. I will not get into that discussion now because I realise that this matter is listed on the notice paper.

It is my view that annual reports are a logical place for such feedback. Departments and other agencies are in the process of reporting anyway and this would be a matter of presentation and grouping some of the information in a way that makes it easier for people involved in a particular inquiry to follow.

When my office notified members of this motion, the example given was the committee inquiring into the March 2001 draft budget initiatives and capital works program for the Department of Education and Community Services. This committee recommended that government provide details of the implementation status of recommendations accepted by government relating to that committee's work. While the government agreed to this, it did not in the end respond.

I will go through the specifics of this motion. Paragraph (1) relates to the ongoing mechanism. It calls on the Chief Minister to include a reference to committee reports in the annual directions to departments to prepare annual reports. As members will be aware, annual reports are written each year according to directions from the Chief Minister as to content. Annual reports are routinely reviewed by Assembly committees and are available to anyone else who is interested, so this is a logical place for references to committee reports to be included.

The motion calls for the reporting to be restricted to recommendations that have been agreed to by the government of the day. That should allay concerns expressed to my office about one government being called on to carry the work of the former government, although I would say, on the record, that I would have hoped the committee work, being cross-party, would be of interest to governments whatever their flavour.

The terms agreed to may need to be interpreted broadly. Some responses—for example, last year's response to the Select Committee on the Role of Public Housing—stated clearly "Agreed", "Agreed in principle", "Agreed in part" or "Not agreed". I would hope that all these types of agreed categories would warrant inclusion in annual reports.

There were no clear statements of "agreed" or "not agreed" in respect of an earlier report of the Standing Committee on Social Policy, which I chaired, into the Commonwealth/Territory Disability Agreement. There was a more conversational response indicating what programs are in place or have been planned to deal with the issues raised in the recommendations. I would expect that this kind of response would be taken to indicate the government's acceptance of the recommendations. You would then expect that progress or cessation of the work mentioned in the response itself, in addition to further work, would be tracked through the annual reports in accordance with this motion.

Paragraph (2) sets out how we would like this process to start. It is proposed that the process will be triggered by the current government giving a response to a committee report. The motion requests that this process begin with any committee reports of the Fourth Assembly—the previous Assembly—to which the government has responded. Clearly this assumes that there will be at least some responses to committee work of the previous Assembly by this government.

I understand that the government has undertaken to respond, for instance, to the report on the inquiry into the role of public housing. A number of reports tabled late in the previous Assembly have had no government response yet. I have mentioned to Mr Wood—and I put this on the record—that I would like to see the Labor government's response to a couple of major inquiries. One such report relates to the inquiry into children at risk. Another is the inquiry into students at risk of not completing education. As well, there was a major report on the education of children with disabilities, and it is important that we see what this government says to that. The Aboriginal health inquiry chaired by Mr Wood resulted in obviously another very important committee report from the last Assembly. They are four that I would mention right now.

Mr Wood: It's a long list.

MS TUCKER: Mr Wood says that it is a long list. There may be others. But the point is that this would be determined by this Assembly. The government could today, or on another occasion, volunteer to say, "Yes, we think it's appropriate that the community understands our government's position on this committee work." That is obviously something that this government could do. Alternatively, I or another member could raise this in the Assembly and ask the government to respond to a particular committee report. Obviously, it would be up to the will of the Assembly to determine whether it felt the government should do that. The government could respond to the position put to the Assembly. As always, it would be just a request and they would respond accordingly. They hopefully would take such a request seriously.

I just want to make it clear that the purpose of this motion is not to tie this government into a totally open position of responding to everything that happened in the last Assembly and then including a progress report on that in every annual report. There can be discussion. I hope that we will get support today for this aspect of my motion. Although I understand there is some reluctance on the part of the government to do so, maybe my explanation will put their minds at ease.

Paragraph (2) also states that, after the first annual report—which may, depending on the committee report, involve a review of a year or two's work—the future schedules will include only updates. We are not asking the government agencies to cover the same ground every year.

Paragraph (3) proposes that this motion commence at the start of the current Assembly and continue in force beyond the life of this Assembly, unless, of course, it or the underlying legislation are amended in the future. Again, we are mindful of the importance of committee work and the need for a careful review to be carried on beyond one particular Assembly.

So I hope that members will support this motion. Bear in mind that if this process should turn out to be onerous or not working for some reason, then of course there can always be another discussion and debate in this place, and my motion can be amended in some way.

An alternative to this motion would be to include this process in the annual reports legislation. I considered this but, after discussions with members, I found that there was some concern that there would be a loss of flexibility in respect of annual reports if we took this approach and that people would be more interested in seeing how it worked. I am not convinced at all that we should be worried about flexibility being lost. I think this would be an improvement to the system of the Assembly.

I attended a conference of the Australasian Parliamentary Group where there was a discussion about committees and the work of committees. There was a lot of interest from the members of that conference about the proposal that I am putting today in terms of it being something that other parliaments might want to look at. One of the ongoing issues in a discussion of how parliaments or assemblies work is the role of committees. Committees are obviously recognised as being a very valuable part of the workings of parliaments because they give members of a parliament the opportunity to undertake more detailed work in a bipartisan way on subjects that are of interest to the parliament. Committee work obviously also gives members an opportunity to work with the community and understand their perspectives. Parliament can be informed through this very effective form of consultation.

This motion is important because it will give the community more confidence that in fact the work they put into committee submissions will be taken seriously by the parliament. Every year we will be able to see how the government of the day has responded to the recommendations it has agreed to. I am hoping that this will mean that we will all feel more confident about the amount of time we spent on committees.

MR WOOD (Minister for Urban Services and Minister for the Arts) (3.40): Mr Speaker, the government is happy to support the main thrust of Ms Tucker's motion as one that contributes to greater accountability and transparency within government. To a large degree it is a good move. The government should, as a result of the implementation of this motion, improve the way it takes on the recommendations arising from this Assembly.

It is probably also good for committees, which will need to be, I think, a little more careful about their recommendations and not fill up reports with lots of good motherhood stuff—stuff that we might want, urgently needed stuff perhaps, but stuff that really cannot be implemented.

I recall that a lot of responses to reports contain the words “Agree in principle”, and I think there would be a problem down the track in implementing such a response. But we agree in principle. We also agree that annual reports are an appropriate vehicle for monitoring the implementation of the recommendations of Assembly committees agreed to by government.

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Ms Tucker's motion will lead to greater certainty that the Assembly's views will be implemented. Currently, the annual reports directions made under the Annual Reports (Government Agencies) Act 1995 require administrative units to list completed committee reports relating to the agency as an appendix in annual reports. This reporting requirement could be extended to include details of those recommendations agreed by government that the agency is charged with implementing. This would serve as feedback to government that agreed recommendations are being implemented as well as a report back to the Assembly and members.

As I understand it, Ms Tucker has amended part (2) of her original motion so that the proposed reporting applies only to earlier recommendations which were agreed by the current government. That is some task. I think the gist of part (2) is that this applies to earlier recommendations that we in opposition agreed to. I had to read it quite a few times and get the assistance of Ms Tucker to reach that conclusion. It would also—

Ms Tucker: That's not what I'm saying.

Mr Humphries: It's not there now though, is it?

MR WOOD: No, that is as now amended, as I read it.

Ms Tucker: No.

MR WOOD: I have been corrected on this. It would also relate to this new government's responses to reports of the last Assembly to which no reply has been given.

The initial proposal was to report on reports of the Fourth Assembly. As a former member of those committees, I have an interest in being reassured that agreed recommendations have been implemented, and perhaps there is some responsibility on me as a member of those committees, or any member of the committees, to take on some of that work. I understand there are some 180 reports of Assembly committees from the Fourth Assembly. That is a pretty large load. Perhaps quite a few of those were reports of the scrutiny of bills committee.

Prospective application, application from the time this legislation comes into place, permits appropriate coordination arrangements to be set in place. Furthermore, it would not deflect from the focus of annual reports—that is, the year under review. The government will not support the retrospective aspect of the motion expressed in paragraph (2), especially in view of that large backlog of Assembly reports from of the last Assembly.

I have indicated to Ms Tucker that we would give commitments about specific reports in which she had a very considerable interest. But I have to say, after listening to her speech, that I am a little nervous about that, and I just do not know how far back we can go.

Further, I want to check on another aspect that arose in my mind when you were speaking, Ms Tucker, and that is: are we in some measure going back to decisions of the last Assembly, which I suppose we are entitled to do? Mr Stanhope has proposed some

legislation to do just that in relation to police power. But are we going back to effective decisions? Reports are open to being contested, as some of us did with the housing report. I am just not sure how wise it would be—I have an open mind, but I want to question it—to go back to numbers of other reports that have been through the Assembly; to go through the whole process of coming back into this place and debating these matters. I just want to think some more about that.

For that reason, and to clarify matters and not just sort it out as we speak, I might seek to adjourn the debate to a later time. But we will see how this debate goes in the in-principle stage.

I would also like to say that there is a risk in using annual reports as a wider monitoring device as this could deflect from the main purpose, which is the reporting on agency performance during the reporting year. I would also like to make sure that the operation of the Legal Affairs Committee in relation to scrutiny of bills and subordinate legislation is not picked up by the requirements. That is not really an annual reports issue.

However, on behalf of the Chief Minister, I undertake that in respect of anything prospective the proposed reporting requirements will be included in the 2001-02 annual report directions due to be tabled in May this year.

MR HUMPHRIES (Leader of the Opposition) (3.46): Mr Speaker, like the government, the opposition supports the thrust of what is in this motion and believes that there probably is a need for our system to develop a way of continuing the work of committees from different Assemblies. We perpetrate the myth that when the Assembly finishes, all its work finishes and nothing goes forward. But, in fact, much of what is done in any individual Assembly, particularly in the Assembly's committees, has the potential to be of ongoing and enduring value and therefore a process to provide continuing monitoring of the work of committees is probably worthwhile.

I put that in the context of the comments I made early in the life of this Assembly that there needs to be a lift in the quality of the work of the Assembly committees. Having said that, I acknowledge that much good work has been done in previous Assemblies by the committees of those Assemblies and there needs to be some way of being able to report on the value of that work.

Mr Speaker, I agree that it is necessary to carry forward the intent of this motion. However, I have to say that I have a different view from the government about the meaning in paragraph (2). The paragraph refers to “the current government’s responses to committee reports of the Fourth Assembly”. I think the use of the words “current government’s” rather than the “former opposition’s” responses to committee reports is significant. What this means, as I understand it, is that when the government that is now in place chooses to respond to issues raised by the previous Assembly’s committees, those responses will be reported against in the schedules to annual reports, or whatever they might be, that are referred to in this motion. Today, for example, we have had a government response to the Standing Committee on Finance and Public Administration’s report No 27 of 2001.

Mr Quinlan: An exemplary report.

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MR HUMPHRIES: “An exemplary report”, in the words of the former chairman of that committee. Under the terms of Ms Tucker’s motion, this would be a response that would be reported against. It is not really the sort of response you would report against because it just says “The government acknowledges the concern and the government notes the conclusions.” So you would not exactly report against this. But the intent of what Ms Tucker is getting at is very clear and I think it is worthy of support.

I understand that this debate is going to be adjourned. I think there is consensus that it should be adjourned, but I put on record at this stage that where this government picks up and comments on recommendations of previous committees, some ongoing process of reporting against that should occur, and that should be the case in future Assemblies as well. Future governments would then comment on things that happened in the life of their Assembly. They could also chose to comment on the recommendations of previous Assembly committees.

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

Information Industry Development Board

MRS CROSS (3.50): Mr Speaker, I move:

That:

- (1) this Assembly recognises the contribution made to the ACT and region by the ACT Information Industry Development Board (IIDB) particularly with regard to the creation of jobs, encouraging women to pursue careers in information technology (IT) and coordinating federal government bids.
- (2) the government thank the IIDB board members for their voluntary commitment and the success of their activities.

The former Information Industry and Development Board was established by the former Liberal government in 1999 for the purpose of developing the ACT’s information technology and communications industry. This board was made up of captains of industry in the ICT industry and people that were highly respected in this fair city.

The Canberra Liberals have, and retain, a strong commitment to grow the ACT’s potential in information industries. Once established, this board quickly set about providing the former government with strategic advice and strategies to optimise the economic benefits of the global marketplace to Canberra. The board had a vision: to ensure that the ACT is globally recognised as a centre for information industries, innovation, intellectual property development and education and training excellence. They pursued that vision with enthusiasm and had a great deal of success.

Because of their good work it was possible to match ACT businesses with potential investors and business opportunities. It was further possible to improve the timeliness and quality of responses to foreign investment inquiries by providing a comprehensive profile of industry capacity and potential joint venture partners. Impediments to the export growth of communication services were identified and addressed by the former government as Canberra’s capabilities were marketed both domestically and internationally.

Mr Speaker, the board was made up of an immensely talented group of people who represented some of the most successful information technology and communication companies, peak industry bodies and tertiary institutions. These bodies gave freely of their time, experience and corporate knowledge, receiving nothing in return other than the knowledge that they were making the ACT a better place in which to live and creating future employment opportunities for our children.

Some of the board's achievements include establishing the Women in Information and Communication Group that has encouraged and supported women to pursue careers in the information technology and communication industry. They played an instrumental role in coordinating and encouraging local firms to bid for federal contracts and funding programs. This included the successful \$8 million bid for funding under the national building IT strengths program.

There are numerous other achievements that I could mention, such as the development of the ACT's photonic industry through gaining it recognition as a centre of excellence and playing an integral role in attracting the Australian Photonics Institute to locate in Canberra. Other achievements include their role in establishing the cooperative research centre for smart Internet technologies in Canberra, and their assistance in placing young adults in IT companies through the IT cadetship program. I could talk further about their support of the TransACT network and the considerable advice they provided to the former Liberal government on digital divide issues.

Mr Speaker, I could go on and on, but by any measure the board was timely, appropriate and a great success, and I call on members to afford it that recognition. While members are contemplating that decision, I would also ask them to ask themselves why one of the first actions of the current government was to disband the board. The decision absolutely beggars all sense, Mr Speaker. Having worked in the ICT sector in China and Australia since the 1980s, I appreciated the value of members of the IIDB in the ACT and the vision of the former Liberal government to establish the ACT as the ICT capital of Australia. I now fear that the good work done by the former Liberal government will disappear for good to the detriment of our community, our children and our future.

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (3.54): The government is quite happy to endorse this motion. We do not necessarily endorse the back half of Mrs Cross' speech, but I guess if we are here to play politics, so be it.

Let me say that the government does recognise the value of contributions made by the IIDB over the past couple of years. In fact, it has conveyed this to the chair, Mr Brand Hoff, and to many of the members of that committee whom I have met since we came to government. Let me assure Mrs Cross that our intention is to progress in the IT field within the ACT. We will do that within the structures that we promised to put in place before the election. You might see many familiar faces assisting this government as they assisted the last government. In fact, I guess they were not assisting the last government and I guess they will not be assisting us—they will be assisting the territory. It is our intent that this should happen.

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This government wants to avoid, if possible, the phenomenon that was called the “glee club” process that grew under Ms Carnell where anybody she knew or worked with was therefore on her team and anybody else was excluded from it. I did not like that sort of our side/your side approach that seemed to be taken. But I have to say that, since taking up the duties of Minister for Economic Development, Business and Tourism, I have taken the opportunity to visit as many as possible companies and institutions involved in development in the ACT, and of course many of those are involved in high tech, in IT.

I feel like a kid in a lolly shop a lot of the time. There are some amazing things happening in this territory. There are some people with great initiative. I have been privileged to have seen many demonstrations of the products that are being developed in the ACT, and to be associated with progressing them. Only a couple of months ago I endorsed a mission to Hainan Island in China. We met the members of that mission after they arrived back and they indicated that there were great prospects and that benefit would arise from government support. That sort of support will continue.

I think we were fairly clear before the election as to the structures we wanted to put in place—the knowledge-based economy board, the knowledge bank. As I said, many of the people who have worked for the ACT will continue to do so. For them the change of government has been fairly seamless and, I suppose, in the main not all that relevant. What they are interested in is progress. I was privileged to open the office of a young couple who produce software, and they are selling on the worldwide market. We were encouraged to do so by Mr Hoff, even though they were ostensibly competitors.

There is within Canberra industry and Canberra business a very strong spirit of mutual cooperation where the business people in Canberra see themselves as a team. When I was in opposition I spent a good deal of my time making sure that I did interact with the business community, and I feel that I am on pretty good terms with pretty well all the players in Canberra. I have a fair idea what they are doing and they have got a fair idea where this government is coming from.

I expect that, as I said, many of the people who contributed to the developments through boards in the past will continue to do so. There will be some change in the faces. We would like to broaden our approach to IT, and that is why we talk about a knowledge-based economy board. We want to see business, government and academe work together and, therefore, those structures will be different from the structures that existed before. I think the structures will be broader, more embracing and possibly more effective.

Question resolved in the affirmative.

Gungahlin Drive extension

MR PRATT (4.01): I move:

That this Assembly direct the government to enter into an urgent dialogue with the Australian Institute of Sport (AIS) to determine the serious impact that the planned Gungahlin Drive western route will have on the AIS, and reconsider its plan to adopt the western route.

The apparent determination of the Stanhope government to push forward with plans for a four-lane Gungahlin Drive extension which runs past the AIS front gate without further discussion with the AIS stakeholders may have the effect of depriving the national capital of one of our nation's, and the ACT's, premier sporting icons. The western alignment decision which the government favours will have serious detrimental consequences.

It is well known that the AIS, unhappy originally with the eastern alignment route running along its eastern fence line, was prepared reluctantly to accept that route versus the western option as the lesser of two evils. The western route, as far as the AIS is concerned, is unacceptable. The proposed western route would have the serious and harmful effect of bringing vehicle pollution into the bushland which now surrounds the AIS, a pollution-free zone which undoubtedly has contributed to our athletes' sporting prowess.

The proximity of vehicular traffic of trunk route proportions to athletics training will have a significant impact. Athletes in full training mode require 20 per cent more oxygen than the average person. The AIS training areas will become, ironically, one of the more polluted areas of the ACT. As the prevailing weather pattern is usually from the west, most days will see vehicle pollution carried into the AIS, not away from it as may have happened under the eastern route option.

The proposed route also would run in close proximity to athletes' accommodation, with one planning option reported to have the road running within 150 metres of that accommodation. Top athletes need unbroken rest, and currently receive this in the unpolluted peaceful surrounds of the AIS. Moreover, the planned western route would cut straight through the western side car park—car park space which could only be replicated elsewhere at great cost and at a disadvantage to facility extensions. Indeed, the western route cuts through the areas which have always been earmarked as facility extension space. The AIS planned eventually to utilise those areas. That they may not now exist must raise serious doubts about the viability of Bruce long term.

The AIS is world renowned for its excellence—excellence in its training facilities and in producing excellence. Overseas students train there regularly, proving that the AIS is of economic significance to the ACT. Looking ahead, this training market, both domestic and foreign, should significantly expand. It would be unforgivable if, as a result of an unwise government decision, the future of the AIS was jeopardised and the AIS packed up and left Canberra for, literally, greener fields.

There is no need for me to list the achievements of this place, this incubator of elite athletes of which we should all be proud. The very significant improvement of Australia's Olympic performance can be sheeted home substantially to the AIS. Major football teams of all codes utilise the facility. Its detailed and varied make-up provides for all sports in the country a mosaic of services—sporting, training, academic, sports psychology, and administrative services unsurpassed by any sport facility in the region.

As shadow spokesman for sport, it is my responsibility to promote sport in the ACT and to defend our excellent AIS facilities. It is my duty to encourage not only the development of excellence, but also good, plain old community sporting participation.

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I think we would all agree that the AIS is a sporting beacon on the hill that all sports-loving Canberrans warmly look up to, even if they are unlikely even to train there.

I emphasise that I am not aware of any definitive statement from the AIS or the Australian Sports Commission to relocate because of the western route proposal. However, there is unofficial anecdotal information suggesting that deep anger and frustration exist, and that a relocation option could arise if no serious dialogue about the real problems presented by the western route option were considered by the government and raised seriously with the AIS.

That brings me to the next perplexing issue. Given that the AIS has been consistent in its arguments for a no western route option, how can the minister, Mr Corbell, profess to be “surprised”, as reported on page 5 of the *Canberra Times* of 20 February 2002, about the deep concerns expressed by the AIS officials to a Senate estimates committee regarding the western route option?

Let me refresh the minister’s memory by referring to report No 67 of the Standing Committee on Planning and Urban Services, produced last year, which I have here. I would be happy to show this report to anybody who is not clear about what I am saying. Indeed, the minister was a member of that committee. I shall quote a key AIS submission to the inquiry. In submission No 112A, the former executive director of the AIS, JA Ferguson, argued:

The western alignment poses significant problems for the AIS and its long term plans. The eastern option does not threaten the operation of the AIS campus and may deliver some improvements to the operation of Bruce Stadium, through more effective traffic and parking arrangements.

The AIS submission by Mr Ferguson goes on to state:

The AIS campus master plan seeks to reinforce the strong links with the other institutions and organisations in the Bruce precinct, by encouraging complementary education/technology/sports linked development along the Braybrooke axis ...

The western alignment also separates the AIS campus and Bruce Stadium from the Bruce precinct and by doing so, reduced the potential for the precinct to grow ... into a world class multi-use precinct, with technology, sport and recreation, research and development and health service industries combining with residential use. With over 10,000 jobs in the precinct now, the future growth of the precinct is important to the ACT.

Surely, those recommendations with respect to the integration of the AIS and adjacent ACT educational and sporting facilities are just what this Assembly should be on about, seeking to develop the ACT as a smart city and one able to attract smarter industries. The western route option certainly would stifle that potential for the Bruce region.

With respect to traffic and related issues, the AIS submission to the standing committee of which the minister was a member went on to say:

Adoption of the western alignment will introduce new traffic problems, particularly in Battye Street, during events. Access to the western car parks will be more difficult. Car parking will be reduced by about 1700 spaces. The cost of replacing

these spaces is estimated at over \$4 million. This additional cost has not been included in the western option cost estimate—

that is, the cost estimates for the AIS itself—

The loss of the car parks will have major implications for the AIS and Bruce Stadium.

The submission from Mr JA Ferguson went on to say that the western alignment can now be expected to cost about \$7 million more than the eastern alignment in terms of the impact on the AIS. That includes car parks, other buildings and, of course, airconditioning in accommodation closely affected by traffic conditions. I have to ask: Minister, how are you surprised that the AIS is really savage about the western route option? Why are you surprised about that?

What are we going to do? Are we going to box the AIS into a corner whereby eventually it may just pack up and go? Do not underestimate the fury and the sense of a lack of a fair go which currently exists. Are the government's perceived eastern route weaknesses so serious as to justify such risks with one of Australia's greatest icons and one of the ACT's greatest assets?

We have been told that this development, that is, the western route option, will cost Canberran taxpayers \$32 million. If we are going to spend \$32 million, we must get it right. That includes all aspects of development in the area, including the impact on the AIS and what that is going to mean for the operations of the AIS in the future. I urge the Stanhope government to quickly re-enter into negotiations with the AIS and to understand to the fullest the serious impact of the proposed western route and abandon that option.

MRS CROSS (4.11): Mr Deputy Speaker, as we can see again today, the government's western alignment for the Gungahlin Drive extension is a fundamentally flawed option. Both proposed alignments would impact adversely to some extent on the environment and the amenity of nearby residents. However, the western route has the added impost of being much more expensive and would seriously threaten the future and viability of one of the jewels in the ACT's crown, the Australian Institute of Sport.

From reading transcripts of previous debates on this proposed roadway, supporters of the western alignment widely dismissed concerns that were raised about its adverse impact on the AIS and members continue to dismiss the same concerns today. That is an unfortunate approach, one that is filled with peril. From listening to members today, I can only conclude that nothing short of the AIS packing up and leaving town could possibly convince supporters of the government's option that they were wrong. They just do not want to hear anything that could prove them wrong.

As we have already heard today, federal parliament was informed this week by the head of the Australian Sports Commission, Mr Mark Peters, that the western alignment would be a disaster for the AIS. Mr Peters said that sport experts feared that noise, fumes and dust from the nearby highway could harm the performance of athletes. It makes no sense to locate an elite sports training facility in a conducive environment and then build an arterial roadway right up beside it, destroying all of those benefits.

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The government's option, the western alignment, could also adversely impact on the economic contribution of the AIS to the territory. The AIS attracts some 100,000 tourists out of a total of 600,000 visitors a year. Taking into account the employment it creates, about \$40 million a year to the ACT's economy could be in jeopardy. Surely the western alignment is a high stakes gamble.

Mr Deputy Speaker, I find the Planning Minister's remarks in the media yesterday more than a little strange. In the newspaper, Mr Corbell was quoted as being surprised by Mr Peters' comments. I do not understand how Mr Corbell could feign surprise, because this is not the first time that the future of the AIS has been brought to his attention. Surely Mr Corbell had already discussed this roadway with the AIS. Surely he had already seen and read the submission prepared by Purdon Associates to the urban services committee of which he was a member in the last Assembly, entitled "Gungahlin Drive extension—impact on Bruce precinct".

This submission covers in detail the adverse impact that the western alignment would have on the entire Bruce precinct, including the AIS, Bruce stadium and the Bruce CIT. It discusses the impact on visitors, parking and the long-term viability of the sports facilities and the limitations it would have on future development in the precinct. The submission contains an artistic impression of the AIS master plan that would be rendered completely useless by the western alignment.

I accept that the master plan has no legal standing, but it is nonetheless a document of intent, contingent on local planning approval and, more importantly, requiring substantial federal funding. That funding would be jeopardised by the western alignment, given that various development options for the site would be limited, undermined, reduced or removed altogether.

The submission details how the western alignment would not only make the AIS a less attractive place for elite athletes, some of whom are as young as nine years old, but also substantially inconvenience visitors and patrons to the AIS campus and nearby stadiums. It also states that the western alignment would substantially diminish the attractiveness and competitiveness of the facility as a host site for major sports and entertainment events and, further, that it would weaken the long-term viability of the AIS campus as an elite sports training centre and may eventually make other sites more attractive for the AIS.

Concern about the disastrous consequences that this flawed alignment could have for the AIS is not the only reason to support the alternative alignment, the eastern alignment. It is but one of many reasons. The arguments of supporters of the government's western alignment are, in the main, an intellectual insult. They take a blinkered approach, having worked their way backwards from the answer, grasping brittle wisdom whilst doing so. There are so many things they just do not want to know, such as that the eastern alignment would cost substantially less to construct, that most of its journey around the eastern side of the Bruce precinct would be on top of an existing road or existing metal car park, and that, by far, the majority of the oft-mentioned environmental damage caused by the roadway would be caused to areas that were common to both alignment options.

I urge the government to reconsider its plan. I am staggered that the minister, a minister of a government that rates itself as being a champion of consultation, could possibly be surprised by Mr Peters' comments. In reference to Mr Peters, Mr Corbell was quoted in the paper as saying, "It is an issue I'm sure we can negotiate and reach a reasonable accommodation over." I agree. Mr Corbell can support the eastern alignment.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (4.17): Mr Deputy Speaker, I do not know whether the Liberal Party had noticed, but there was an election late last year. That election was fought on a whole range of issues, but one of the key issues of the election was the issue of the appropriate alignment—indeed, appropriateness overall—of the Gungahlin Drive extension.

The Labor Party went to the election with a clear and unequivocal commitment. That commitment was that the road would be built on the western alignment and that the flawed eastern alignment, the alignment put forward by the previous government, would be deleted from the Territory Plan. That was the election commitment. That was the clear and unequivocal statement from the Australian Labor Party. It is that commitment which this government is standing by. We are standing by it because we went to the community and said that we believed that the western alignment was the most appropriate alignment—appropriate because it had the least possible impact on the Bruce and O'Connor ridges nature reserve, a point conveniently overlooked in all of the speeches we have heard to date, and appropriate in providing clear and direct access for residents of Gungahlin to the Glenloch Interchange and the parkway system that serves so well the rest of the city.

Mr Deputy Speaker, this motion asks the government not to implement an election commitment. It is extraordinary that the opposition—an opposition that said when it went into opposition that it would hold the government accountable for its promises—is now saying to the government, "Break your promise." That is what the Liberal Party is saying to us today. They are saying, "We are the opposition and we are going to keep you accountable, but we want you to break your promise on building the western alignment." That is what the Liberal Party is saying to us today. I, and this government, will not accept that. We will stand by our election commitment.

Mr Pratt has moved that the Assembly should direct the government to enter into an urgent dialogue with the AIS to determine the serious impact that he claims that the planned Gungahlin Drive western route will have on the AIS and to reconsider its plan to adopt the western route. As I have indicated, Mr Deputy Speaker, the government will not be supporting the motion today. This alignment is needed; this road is needed. It is a part, not the whole lot, of addressing the transport issues that face Gungahlin residents, another issue on which we have not heard much from the Liberal Party today.

An engineering feasibility study has been commissioned by the Department of Urban Services and a range of options which take into account matters of concern to the Australian Institute of Sport are currently being evaluated. Noise measurements are being undertaken in areas adjacent to the western corridor, to establish the existing noise environment in Aranda, Bruce and Kaleen, as well as at the Canberra Institute of Technology campus in Bruce and the Australian Institute of Sport. This data will form the base against which forecast future noise levels will be assessed and mitigation

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measures identified. Noise effects are not insurmountable. There is scope to adequately address the impact of noise along the western alignment.

Mr Deputy Speaker, a separate environmental impact assessment is also being undertaken on the future transport corridor covering the area from Glenloch Interchange to the Barton Highway. This will draw together the work which has already been undertaken on a range of projects and will identify areas where any additional work is required. It will form the basis for the preparation of a preliminary assessment under the Land (Planning and Environment) Act once a decision is taken on a preferred alignment within the western corridor.

Today, the Liberal Party has argued that I should not be surprised by the Australian Institute of Sport's comments. I was surprised that the AIS was making public comment on the issue. I was not surprised with their views, but I was surprised that they were making public comment. The reason I was surprised was that I met with the AIS early this year and had a detailed and full discussion with the chief executive of the Australian Sports Commission, Mr Mark Peters, in which he outlined the concerns of the AIS. We agreed that we would continue to work through this issue and Mr Peters agreed that at this stage he did not believe it was appropriate for the Australian Sports Commission to be making public comment on the matter. That said, I was surprised therefore that Mr Peters was making public comment, but I understand the context in which he was making it, in that he was making it to a Senate estimates committee.

It is interesting to note that Mr Pratt's motion today directs the government to enter into an urgent dialogue with the Australian Institute of Sport. The government already is in a dialogue with the Australian Institute of Sport. The government has been in a dialogue with the Australian Institute of Sport since early January. As I have indicated, I have already met with Mr Peters to discuss in broad terms the concerns of the AIS. We have agreed that there will be further discussions. I will be meeting with Mr Peters and other representatives of the Australian Sports Commission next week, a long-scheduled meeting, to discuss the issues in more detail on site at the AIS.

It is interesting also that Mr Pratt is suggesting in the motion that we need to start this dialogue. It is interesting because we have already started it—indeed, we started it back in January—and because Mr Peters, in further answers to the Senate estimates committee, was asked by Senator Lundy, a senator for the ACT, “So there is no real outstanding complaint that you have with the ACT government at the moment, given that you were engaged in a consultation process?” Mr Peters said, “No. We are waiting eagerly.” Mr Peters told the estimates committee that he had no complaint with the consultation process, so for Mr Pratt to suggest that the government needs to enter into an urgent dialogue is just a nonsense, because we are already in one.

Mr Deputy Speaker, the other point that Mr Pratt raises in his motion is that we need to determine the serious impact, his words, that the planned Gungahlin Drive western route will have on the AIS. That is exactly the point of the discussions that we are having with the AIS. When a government goes to an election with a commitment to do certain things, I think it is very important that it does those things upon being elected. This government is going to do that.

Mr Quinlan: Novel.

MR CORBELL: Maybe it is novel to the Liberal Party. Maybe it is novel to talk about 1,000 hospital beds and that sort of thing. But, Mr Deputy Speaker, we believe that it is important and it is a commitment that we are going to keep. I am confident that the issues of the AIS can be effectively addressed in terms of the construction timetable to minimise impact on the AIS, the actual alignment within the western corridor and the issues surrounding the development of the AIS. They can be effectively and adequately accommodated. Indeed, this point was backed up by the *Canberra Times* in its editorial of today, which says:

A better course for the AIS now would be to accept that, having remained silent during the main debate, it cannot undo electoral promises so it is now locked into the western route. Rather than argue about the route, it should negotiate the best deal it can on abating noise and other consequences of the road.

I think that that point from the *Canberra Times* editorial bears reflecting on, because the government is serious about making sure that issues surrounding the development of the western alignment are effectively addressed.

Mr Deputy Speaker, the government is committed to the western alignment. We are committed to it because it is the most direct route. We are committed to it because it is a route which we believe has the least possible impact on the Bruce and O'Connor ridges. That is backed up by evidence in the standing committee inquiry that Mr Pratt referred to. The government will be standing by its election commitment.

MR DEPUTY SPEAKER (Mr Cornwell): The minister's time has expired

MS TUCKER (4.27): I move:

Omit the words "to adopt the western route" and substitute the following words: "to construct the Gungahlin Drive Extension on either the eastern and western alignments due to the significant environment impacts of both routes on the AIS and Bruce and O'Connor Ridges."

I will speak to the amendment as well as the motion. The raising of the issue of the impact of the western alignment of the Gungahlin Drive extension on the AIS highlights that the whole idea of this road is flawed, regardless of the alignment. I note Mr Corbell's claim that he, together with his government, is progressing an important election promise. I respect the claim that people, parties or Independents that run in an election campaign on a particular platform should stick to that position once elected. But there are a few problems for me in that, because Mr Corbell also ran on a platform of having a commitment to ecological sustainability; in fact, to set up an office of sustainability.

It is never quite as simple to do so as people might like to portray, because the election promises of the Labor Party were quite inconsistent. On one hand, they were saying that they were committed to sustainability and, on the other, they are prepared to go ahead with the building of a freeway which is clearly not in the interests of sustainable transport options or urban living options. Any analysis of the current understanding of sustainable urban development and urban planning would mean you would have to come

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to the conclusion that you should not be investing such a huge amount of public money in building another freeway; it is entirely inconsistent.

I am asking Mr Corbell to work with the election promise he made about sustainability. That is why I have moved an amendment which is basically saying that we should not build either option and that we should get serious about looking at alternative ways of moving people around this city, of reducing the need for people to move around this city by putting employment in Gungahlin and of upgrading existing roads in the meantime.

The western alignment would have a greater impact on the AIS and access to Bruce stadium than the eastern alignment, but the eastern alignment would have a greater impact on bushland on Bruce and O'Connor ridges than the western alignment. The Liberals seem to think that the AIS and its car park are more important than the bushland. I think that the bushland has its own inherent value and value to ACT residents that must be respected.

Mr Pratt might be interested to know that, during the campaign for the ridge, there were athletes vocally asking publicly for the western option, not the eastern option, because, as he may be aware, lots of athletes train in the bush and run through the bush and that is where they are doing their training. They came out asking that the eastern option not be progressed. Some of those athletes were vocal in public, but then the whole thing suddenly became quiet. We have known always the official line of the AIS, which has been made clear through submissions and so on, but many of the people doing the work, the athletes, would not be supportive of what Mr Pratt is doing today.

The raising of concerns by the AIS highlights that the issue is not over for Labor. Mr Corbell claims that he is working with the AIS and that he will try to minimise the environmental and social impact of that freeway. I think it is really important to hold the Labor Party to account for the double standards or inconsistency in its election platform. For that matter, the Democrats should be as well. It is entirely inconsistent to support the building of a freeway, as I said, when you claim to have a commitment to ecological sustainability. We will not be going forward at all in this city by building this freeway. We know that the increase in greenhouse emissions in the ACT is the result of transport issues and we are not going to change that unless we get serious about challenging the use of private cars on the roads as the main way for people to move around the city.

I think it is really important that I make that point once again in this debate. I think the government is being hypocritical in starting this work of building a freeway, as I said in question time, at the same time as it claims that it is going to do a proper environmental impact assessment of the road. Mr Corbell said at question time that he did see it as a possibility that a good environmental impact assessment could rule out certain options. I am afraid that there is little credibility in that statement as he is forging ahead with his so-called election promise, even though, as I have pointed out already, the election promise is inconsistent with other election promises and therefore its credibility needs to be challenged or he needs to pull back from the election promise about the Labor Party understanding the importance of a commitment to ecologically sustainable development in our city.

MR STEFANIAK (4.34): Mr Speaker, I am utterly amazed that there are some people in the media, given the *Canberra Times* editorial, and in this house who seem to think that the issue about the AIS is something that has just reared its head and that no-one has complained about it or raised it before. That is arrant nonsense. My colleague Mr Pratt referred to a submission made last year by the AIS to the planning committee of which Mr Corbell was a member.

Mrs Cross: Also in here, Mr Stefaniak.

MR STEFANIAK: Thank you very much. In fact, it would be interesting to read the *Hansard* on that. I have in front of me the *Hansard* of 9 August 2001 and I will read about four paragraphs of it onto the record. My colleague Mrs Cross has shown me a reference in the *Hansard* of 28 August 2001, but the *Hansard* of 9 August 2001 refers to an earlier debate. Clearly, the issue was before the Assembly last year. I am amazed that whoever does the editorials for the *Canberra Times* thinks that this issue has suddenly arisen.

On 9 August 2001, we had a debate on this issue. Mr Corbell was present, as were other members of the present government, who were then in opposition. I was the minister for sport. I will only read the four paragraphs in relation to the AIS on page 2712:

I reiterate what I said when we had some debate about this several months ago in relation to the western route. I was very concerned that Labor supports the western route. I was amazed in some respects because I know the committee had the benefit of submissions from Mr James Ferguson, who was then director of the Australian Sports Commission, and some other people. I reiterate what I think I said in an earlier debate in relation to that; that there is a very distinct and real possibility that were the western route to go ahead we would lose the Australian Institute of Sport.

The institute employs hundreds of people. Lots of the younger athletes there go to our schools. It is of immense benefit to the territory. We were talking about economic benefits from the GMC400. I think those benefits would pale into insignificance compared with the sustained year-in year-out benefit we get from the Australian Institute of Sport, not to mention the magnificent sporting facilities there that territorians have the benefit of using. Also, I think there would be significant problems in terms of the use of things like Bruce Stadium, and we all know we have made a considerable investment in that. It is an excellent stadium.

There are just so many problems, I think, with that western route. I just want to reiterate to members that other states would love to have the Australian Institute of Sport, and there would be a real danger of that occurring were that western route to be picked. There has been a lot of angst over this matter and a lot of very genuine concern. There were some good reasons why the route down O'Connor ridge was problematic. Mr Humphries solved that by taking that out, back in October or November of last year.

I wanted to make those points, Mr Speaker, because I would hate to see this Assembly, or the next Assembly, make the wrong decision which would see the Australian Institute of Sport go to some other state capital.

The issue was raised on 9 August and 28 August. It was certainly around last year. I know that Mr Ferguson was very concerned about it. I know as I talked to him about it. He made a submission to the committee. Despite that, the Labor Party persisted with

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promising to go down the western route. We had a lengthy debate—it probably was on 9 August—in which that route was taken off the Territory Plan. No doubt, at some stage soon people will try to put it back on there for that to occur.

Clearly, the new director of the Australian Institute of Sport has significant concerns. He has again raised the very real possibility—I am glad that no-one is saying that it is definitely going to happen, but watch this space—that we will lose one of the premier sporting institutes in the world.

Mr Corbell: Are you trying to blackmail us?

MR STEFANIAK: No, I am suggesting, Mr Corbell, that your party should adopt a bit of statesmanship in relation to that and admit that it has made a mistake.

I am amazed that the *Canberra Times* does not seem to think that this issue has ever been raised. It may be that the administrators, fine as they are, and the sports people at the Australian Institute of Sport are not the best lobbyists. Perhaps they concentrate on administering the best institute in the world and concentrate on heightening the athletic prowess of our athletes, which has a spin-off in this territory. They may not be as good as activists as the 200, 300 or even 400 people who wanted to push the western route so that the eastern route could not go ahead. I have said previously that, once the spur is taken out, it is arguable whether it is about O'Connor Ridge, because it is at the base of the start of O'Connor Ridge. As my colleague Mrs Cross points out, quite properly, it follows around, I think, Tucker Street and then goes through car parks. But I am not going to get into that. Clearly, the arguments were always there that the eastern route was the best one.

Mr Corbell has, quite properly, stated the real dilemma that the Labor Party has got itself into. Ms Tucker raised some interesting points there. I would tend to agree with her in terms of the inconsistencies in the promises that the ALP made. It was rather hypocritical of Mr Corbell to raise that issue in terms of the previous government, because the Liberal Party went to the 1995 election, funnily enough, on the promise of providing free school buses when we could afford to do so. Lo and behold, when we could afford to do so we bunged them in, starting in September of last year.

It could be said that we won the 1995 election partly on that promise. It may also be correct that the population did not particularly like that promise and preferred the Labor version of spending the money inside the school gate. Whether they would and how it would be done is another question, but perhaps they preferred the promise of spending the money inside the school gate and did not like us going ahead with the buses.

On that basis, if we asked the population, maybe by way of an opinion poll or by putting out a plebiscite, whether they would rather have the eastern route or the AIS being likely to go to some other state, I have a pretty good idea what the punters would say; they would go for the AIS. I point out to Mr Corbell, in terms of how effective and how relevant the Labor Party's promise might have been, that its biggest vote was in Tuggeranong. I do not think the Tuggeranong people would give a tinker's cuss as to where the route goes as it does not particularly affect them. Funnily enough, Labor's lowest vote was in the Molonglo electorate, which has O'Connor in it and that is where most of the activists came from.

Mr Corbell, I think you are skating on pretty thin ice in saying that. Whilst it is understandable for the Labor Party to say that it has to abide by his promise, I do not think that that is the right thing to do here. It is being shown that there will be some very serious problems for the AIS if the eastern route is not followed. Continuation with the western route is going to cause real problems for the AIS and we might lose that excellent institution. Yes, that might pose a dilemma for the ALP.

It is unfortunate that this issue has arisen again so close to the election, but the test of true statesmanship—the people opposite say the same thing about the Prime Minister saying sorry—is to be able to say, “We made a mistake. Yes, we did not give proper consideration to that. Yes, there are some real problems there. We should not have made that promise in the election. We now have all this other information. We were stupid to make that promise. We apologise for making it. We did the wrong thing; the eastern route is the way to go. We are sorry that we made the promise.”

That does happen from time to time in politics. You are not going to lose anything out of doing that; you will probably benefit from admitting your mistake. It is stupid to stick blindly to a promise that has been shown quite clearly to be flawed. You should have seen how flawed it was last year. It was pointed out by Mr Ferguson, pointed out by other people at the AIS and pointed out on several occasions in debate in this Assembly, but you blindly went ahead with it. Maybe you thought it was more popular because you had a vociferous minority wanting a certain route and you thought there were more votes in that. But, quite clearly, you did not look at it properly. You discounted totally some very real claims which are now coming back to roost.

If you go ahead, and I assume that you have the numbers on this one, I hope that the institute will not move, but I would not count on that, and we would really hate to say that we told you so. I know that it would be hard to do so, but I think that you would be showing a lot of statesmanship here if you had a rethink on this matter and had the gumption to say that you might have got it wrong. I commend Mr Pratt's motion.

MR SPEAKER: The member's time has expired.

MS DUNDAS (4.44): Mr Speaker, I would like to speak on both the motion and the amendment. I will not be supporting the amendment because it appears to create more confusion over transport policy and I do not believe it advances the transport debate any further. This amendment is more likely to result in the continuing stagnation of transport policy that this Assembly has presided over since self-government began. The eastern option—the eastern alignment of the Gungahlin Drive extension—is part of the current Territory Plan, and I believe that to be the major and pressing environmental concern of the day.

I understand Mr Pratt is concerned about the impact the western option would have on the Australian Institute of Sport. However, I do not support his motion, as I understand that the government is already consulting with the AIS. If the opposition has any evidence that the government is not talking to the institute, and not consulting on its plans, then I would be very interested to hear about it.

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Whilst the Australian Democrats believe it is important for governments to always discuss with stakeholders the impact of their decisions, I do not believe the current motion is helpful in this regard. I will be meeting with the AIS to discuss the effect of any proposed road upon the Bruce precinct, and look forward to hearing their concerns. However, I believe this motion has been brought before this Assembly only in response to the federal minister for sport trying to scare the people of Canberra.

I would now like to quote from the submission put by the Institute of Sport and the Australian Sports Commission to the inquiry which took place during the last Assembly. In their introduction, they say there are fundamental gaps in their understanding of the impact of the western alignment and, hence, some assumptions have been made. They continue on to say that the western route will significantly impact on the existing AIS campus environment—and it appears that this may be a major assumption.

I have read the submission to the Standing Committee on Planning and Urban Services and talked to PALM about possibilities for the western alignment. I understand that many of their concerns could be completely and substantially addressed if any western alignment were to be built. If the government has not been maintaining communication with the AIS, then there is definitely merit in asking them to do so, as I believe there is scope for many of the fears of the AIS to be allayed.

The Democrats have previously stated their concerns about fragmentation of the Bruce precinct. We are seeking an assurance that any road would include pedestrian access across the precinct and retain the current cycle paths. I also note that an environmental impact statement is being prepared, which I am very keen to inspect. That will give us all a clearer picture of the problems raised by the AIS.

The ACT Democrats went to the previous election with a very clear policy opposing the eastern alignment of the Gungahlin Drive extension. I intend to stick to that commitment. The Democrats believe that, as a matter of extreme urgency, the eastern alignment of the Gungahlin Drive extension should be removed from the Territory Plan. The eastern alignment, which the opposition is pushing here today, would plough a road straight through O'Connor Ridge—an area of high amenity and physical attractiveness. To build a road on the eastern route would be the worst possible environmental outcome that this Assembly could produce.

The Democrats are committed to the idea of Canberra remaining the bush capital. We do not believe that building a road through great swathes of urban bushland is either environmentally sound or in keeping with the visions for the residents of the city of Canberra. The issue of the Gungahlin Drive extension has been inquired into, considered, reconsidered, and re-inquired into for over 10 years. Meanwhile, the residents of Gungahlin have seen nothing in the way of a coordinated transport policy for their town. They continue to have virtually non-existent public transport and are forced to sit in their cars in ever-increasing traffic congestion.

The Assembly cannot continue to delay decision-making about Canberra's transport future. It is time for an integrated, progressive and sustainable transport policy that ceases to decide issues on an ad hoc basis—that is, with a change here, an alteration there, a new road in one place, and tinkering with the bus system somewhere else.

Mr Pratt's motion provides no solutions. It will leave Canberra with a large, expensive, transport mess.

It is time to stop using transport policy as a political point-scoring exercise and start having a debate about the real issues.

MRS DUNNE (4.48): May I speak to both the motion and the amendment?

MR SPEAKER: Yes.

MRS DUNNE: Yesterday, Mr Speaker, I made some comments about the Minister for Planning's what I might call Stalinist approach to consultation. However, I have decided that, although I may sound a bit schizophrenic, not only is he a Stalinist but he now seems to model himself as a Thatcherite, because here we have it—no U-turn Simon.

The whole problem about this issue has been raised most cogently by Mr Pratt. It is a micro issue for people who live around the area but a substantial, big-picture issue for the whole of the ACT. The government will not recognise—it probably does recognise it but does not have the intestinal fortitude or backbone to admit it—that it has made a mistake here.

It takes guts to admit that you have made a mistake. It takes guts to say that perhaps you should go back and think again. That is what the government needs to do, because it has not taken into consideration the big-picture issues. Doesn't anyone on that side care about the big picture? The big picture impacts across the ACT. There are long-term economic impacts on the Bruce precinct and on the entirety of the ACT economy because of the contribution made by the Australian Institute of Sport.

The people here are surprised. Either they are surprised because they did not know about it—they are saying they did not know about it—or they are surprised because Mr Corbell has been trying to muzzle the AIS. They had the audacity, when put on the spot in Senate estimates, to speak the truth. You, yourself, admitted it. "We are doing all these back-room deals." Then, smugly, you said, "But of course we are consulting. You should have known we were consulting." You have not told anybody you are consulting. By your own admission, you are doing a back-room deal. What that back-room deal means is that you will continue to consult with the AIS until either they believe what you believe or they leave town. That is what happens all the time.

Mr Corbell: If only you knew the truth, Mrs Dunne.

MRS DUNNE: Mr Corbell continues this sham of openness and accountability and is, at the same time, making decisions, behind closed doors, that have long-term impacts on this community.

Ms Dundas made a point about the building of the eastern route of the Gungahlin Drive extension. She says, quite erroneously, that the eastern route will go straight through O'Connor Ridge. We know that this is not the case. The road that was proposed to go straight through O'Connor Ridge was deleted from the Territory Plan in November 2000. There is no road going straight through O'Connor Ridge. Ms Dundas is quite right in saying that this issue has been inquired into for 10 years. Inquiry after inquiry has

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conclusively come down in favour of the eastern route. Mr Corbell has got it wrong. Mr Corbell has, as usual, failed to take into consideration all the issues. Mr Pratt is right in saying that the western route will be a disaster for the AIS, just as I have been saying for some time that the western route will be a disaster for Kaleen.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (4.53): Mr Speaker, the government will not be supporting the amendment circulated by Ms Tucker.

Ms Tucker: I am not surprised.

MR CORBELL: I am sure Ms Tucker is not at all surprised by that. Nevertheless, it is important to explain why, and to respond to some of the comments made by Ms Tucker concerning the issue of sustainability.

The government will not be supporting Ms Tucker's proposal because the government does not accept the view inherent in Ms Tucker's motion that there should be no road. That is the underlying philosophy that drives Ms Tucker's issue.

Ms Tucker: At this point in time.

MR CORBELL: I understand Ms Tucker's argument but I do not accept it. I also understand the view of others who argue that we should not be building any further roads until other things are done. The reason the government does not accept the argument is that you cannot withdraw the provision of infrastructure which is needed now when there are no viable alternatives in place. To not build the road would mean denying residents of part of the city of Canberra infrastructure which is essential to their day-to-day wellbeing.

Ms Tucker: It's about giving them more choices.

MR CORBELL: It would also mean considerable delay before the alternatives, such as light rail, dedicated bus lanes or any other measures, could actually make an effective difference. So there would be delay, and there would be a continuation of circumstances having an effect on Gungahlin residents.

Essentially, Ms Tucker's approach in painting the picture is to say, "We are going to take away the carrots and we are just going to have the stick." I, and the government, believe that you have to have the carrots before you have the stick, Mr Speaker. That is essentially why we disagree with Ms Tucker.

It is unfair of Ms Tucker to suggest that the government is not doing other work in addressing the question of broader transport issues for the city. The government is committed, firstly, to a policy to encourage employment relocation into the Gungahlin town centre. Secondly, it is committed to reforming the existing public transport system through the abolition of the zonal bus fare system. Thirdly, it is committed to seriously examining alternative public transport options, including light rail. A feasibility study is being commissioned to do just that. Fourthly, as part of the strategic plan for the city, it is committed to an integrated transport plan for the city. That is the government's very clear agenda.

Sustainability is the objective of the government. Sustainability is the vision we are seeking to put in place through all those mechanisms. However, we must ensure it is done in the context of not unfairly disadvantaging those who already face disadvantage. In relation to the residents of Gungahlin, there is clear disadvantage which must be addressed now.

There is a balance. It is the balance the government has and it is the balance that we are seeking to achieve. We do not, for a moment, suggest that the Gungahlin Drive extension is the solution to Gungahlin's transport problems. It is not the solution but it is, however, part of the solution. That is why we are seeking to do the other things I have mentioned, and why we will not be supporting Ms Tucker's motion.

I am attracting a few epithets in this place, and I think that is great. Yesterday I was a supremo, a champion of five-year plans and a commissar. Today I am a Stalinist and yesterday I was also Whitlamesque. They all sound really interesting. However, Whitlamesque sounds pretty good to me. If I had my pick, I would wear that as a badge of pride. Gough Whitlam would have to be one of the most significant figures in the Australian political landscape in the past 40 years. Whitlam is the man who introduced free education in the higher education sector. He is also the man who had the first environment ministry in the history of Australia. I think that is a fantastic badge of pride. If members of the opposition want to call me Whitlamesque, go for your life.

Mr Speaker, there is another issue I want to address. Members of the opposition claim that there is some grubby back-room deal going on. To use Mrs Dunne's words, some grubby back-room deal and—

Mrs Dunne: Brow-beating.

MR CORBELL: Brow-beating. The AIS put it to me that they did not want to comment publicly on this issue. The AIS indicated to me that they wanted to be restrained on this issue and I respect their position. I respect their concerns. I understand the issues they are raising and we will be working with them in an endeavour to address those concerns. I will be working in a constructive and positive manner with representatives of the AIS and the ASC. I will be meeting regularly with them to discuss their concerns. Officers of the government will be meeting regularly with representatives of the AIS and the ASC to talk to them about their concerns. The first of those meetings is scheduled for next week, and I imagine there will be many more meetings.

I have made it clear to the AIS that we will work with them every step of the way towards the implementation of our election commitment. The AIS understands that we are committed to our election promises and that we believe that is the appropriate course of action.

We do not believe that the other issues raised by the Liberal Party in relation to the impact on master planning and the impact on residences are insurmountable. Indeed, we believe these are issues which can be effectively addressed through discussion and exchange of ideas.

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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 CORBELL: Mr Speaker, there is one thing I want to make very clear. The government will not be blackmailed by suggestions from the Liberal Party that, if we proceed with our election commitment, the AIS will leave town. We will not be blackmailed. We will not have that threat hung over us as a reason not to implement our election commitment. This is a form of political blackmail that I find distasteful and unacceptable.

The government will continue to work in a constructive manner in addressing the issues raised by all stakeholders, including the AIS. We will continue to work in a way that delivers better transport outcomes for the ACT and the residents of Gungahlin, using an approach which addresses the concerns of all parties.

MS TUCKER: I would like to speak under standing order 46. I would like to respond to something Mr Corbell said. I would like to clear up a misunderstanding by Mr Corbell.

MR SPEAKER: Yes, Ms Tucker.

MS TUCKER: I need to respond because I am concerned that Mr Corbell misunderstood a couple of my comments. First of all, he said I had claimed that his government was not pursuing any alternative means of dealing with transport issues. I am sorry if he thought I said that. If I did say that, I did not intend to say it. I, of course, know that Mr Corbell has made a commitment to looking at alternative means of dealing with transport issues such as improved public transport, employment in Gungahlin and so on. So I think he did misunderstand my statement there.

Mr Corbell seemed to be saying that he understood my position to be, basically, that Gungahlin residents would have to just deal with a stick and that there should not be any carrots offered. I find that concerning.

I want to put clearly on the record that the Greens' position is actually taking Gungahlin residents into account. The Greens' position is win-win. We see that the proposal to build either of the roads will not work. The Glenloch interchange is going to be a nightmare. Members will be here in the not too distant future—whenever this road is built—saying, “Oh dear, we do have a problem with Glenloch interchange!” This proposal is not actually going to work, in terms of traffic.

The Greens are proposing a total paradigm shift. That is a challenge which requires leadership. You cannot say you are going to shift this paradigm by building a freeway, and then you are going to be changing the road transport use. What you need to do is provide lots of carrots.

Mr Corbell: You have to bring the people with you.

MS TUCKER: You have to bring the people with you—I agree totally with that. I am right into carrots, and I am right into giving Gungahlin more options. I like carrots, we want more carrots. The carrots we want to see are in the form of better public transport, so that people would prefer to use it.

When this debate started, I think Mr Humphries said that maybe in 10 years we would see this road. Now, suddenly, it is urgent. It is interesting that when Mr Humphries said it would be 10 years before anything happened, I do not remember Labor saying, “No, no. We must do it sooner—2002, minimum!” That did not happen. We do have time. This is not withdrawing infrastructure that exists. We have an opportunity—we have time to do these things.

MR SPEAKER: Ms Tucker, order! We are very interested in the paradigm shift and all that sort of thing, but you are really introducing new information. Could you stick to the misquoted and misunderstood bits?

MS TUCKER: I needed to make really clear what I meant. I am concerned that Mr Corbell has said on the record that basically the Greens’ position has not taken Gungahlin residents into account. I refute that. That is why I have been trying to explain, Mr Speaker, that in fact the contrary is true. We, the people in this place, are the ones who must look at the situation for the Gungahlin residents, in a way that will bring results.

MR SMYTH (5.06): I think the cases have been put quite succinctly, Mr Speaker. Members are well aware of where they all stand on this matter.

The basic premise of good planning is that you do not put arterial roads through the middle of precincts, and that is what the Minister for Planning will do. He will put a road through the middle of a precinct. The Labor option is bad planning.

Mr Corbell brought indignation to the debate on the very thought that the government might shift from an election promise—that sacrosanct of sacrosancts, the election promise. That makes me rise just to refresh his memory on some of the promises that have already been broken. We have had seven sitting days and, on a quick count, I can recall at least seven promises that have been broken by this government.

So we move into, I guess, the issue of core promises and non-core promises. I remember that they were going to release, upon receipt, the Gallop report, and they did not. I remember a progress review of vehicle testing that they were not going to release. Then they were, then they were not—and now I think they are. I don’t know whether that one counts, because it has possibly been broken twice.

I think there was a promise to reduce the use of consultants, yet all we seem to have are reviews and consultants. We also had a promise to use local firms and consultants. That has not happened yet, so I guess you can call that a broken promise. There was the promise to meet the national average for the number of police officers. That one was broken before the election was even held, so maybe it does not count. That is an interesting guide to what the future of their promises is, Mr Speaker.

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They promised to implement the safe injecting room. Now we must wait and review the outcomes in Sydney. They also promised to move the ACTTAB HQ to Gungahlin, but find they cannot do that, as they were told. So perhaps we should be a little less pious about promises.

Mr Corbell wanted to be compared to Whitlam. Perhaps he is like somebody else with core promises and non-core promises. I wonder how many more non-core promises we will see emerge.

Question put:

That **Ms Tucker's** amendment be agreed to.

The Assembly voted—

Ayes, 1	Noes, 14
Ms Tucker	Mr Berry
	Mr Corbell
	Mrs Cross
	Ms Dundas
	Mrs Dunne
	Ms Gallagher
	Mr Hargreaves
	Mr Humphries
	Ms MacDonald
	Mr Pratt
	Mr Quinlan
	Mr Smyth
	Mr Stefaniak
	Mr Wood

Question so resolved in the negative.

Amendment negatived.

MR PRATT (5.12): Mr Speaker, talking about scare tactics is arrant nonsense. I criticise Mr Corbell and Ms Dundas for raising those implications. Ms Dundas questioned whether there was evidence about the AIS' concern. I would ask her to have a look at the report, then to speak to the AIS and ask them what they think. I would ask Ms Dundas if she would make a commitment as to whether, if she is convinced by the AIS as to the perils of the western route option, she would change her view and come back and talk to us.

Mr Corbell talks about evidence that the election was won partly on a decision to go with the western route. There is no evidence to support that. The point is that, while the selection of a western route may have been a winner for a small community, in macro terms, it is going to be a loser for the ACT.

When a government goes to an election, it must have a balanced program that takes into account all aspects of what is good for the ACT, not what might be good for the suburb of O'Connor. Ms Tucker talked about some athletes. Yes, I know about those athletes who demonstrated about a western route option. However, if that was the case, and most athletes objected to a western route option, I would have thought the AIS would have informed us accordingly. I think, on balance, athletes would see the perils of a western route option and, in the main, would not agree with that.

Mr Corbell talked about consultation and dialogue, but has entirely contradicted himself by referring to a *Canberra Times* article. That article basically tells the AIS it is too late to influence any dialogue, so they had better accept the fait accompli and go with the government. This is not a good example of discussion. This is an example of the government's one-sided discussion about the outcome for the AIS, in the interests of honouring a so-called election promise.

Mr Corbell has demonstrated rigid inflexibility in the management of public policy. He is not taking into account all the elements of the macro picture, which, as a minister with those sorts of responsibilities, he must do.

I am not playing politics. I reject the insult presented by Mr Corbell. I reject his notion that this is some tacky blackmail exercise. There is very real concern about the future of the AIS. If they pack up and go, then be it on Mr Corbell's head.

Question put:

That **Mr Pratt's** motion be agreed to.

The Assembly voted—

Ayes, 6		Noes, 9	
Mr Cornwell	Mr Humphries	Mr Berry	Ms MacDonald
Mrs Cross	Mr Pratt	Mr Corbell	Mr Quinlan
Mrs Dunne	Mr Stefaniak	Ms Dundas	Ms Tucker
		Ms Gallagher	Mr Wood
		Mr Hargreaves	

Question so resolved in the negative.

Motion negatived.

Adjournment

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

That the Assembly do now adjourn.

Williamsdale quarry

MR HUMPHRIES (Leader of the Opposition) (5.18): I want to comment on a matter that was raised in question time today. That is the question of the Williamsdale quarry—a matter close to your own heart, Mr Speaker.

The Treasurer indicated today that in December the Totalcare board had decided to cease funding the losses of the Williamsdale quarry. Although he indicated that the quarry has a future—not necessarily a future in the hands of Totalcare and its present joint venture partner—I gather from the Treasurer's comments that Totalcare has some immediate concerns about the future of the quarry, and perhaps a concern that it is not going to be

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producing a return to its shareholders in the short-term future, and perhaps longer than that.

Mr Speaker, let me say at the outset that I am very sad to hear that. A very strong case was made for the Williamsdale quarry when it was first put to the ACT government back in 1999. It was a very compelling case, a case for something to be done, an involvement by an ACT government utility in something which had not previously been done in the ACT. It was a quite new venture, but one which held potential promise, we were told, to produce very substantial dividends for the ACT community.

I believe the fact that the Williamsdale quarry has experienced difficulties is a salutary lesson to the members of this house about the kind of approach that should be taken by the government towards the involvement of government in businesses generally, particularly businesses which cannot, by any stretch of the imagination, be described as businesses which are central to the delivery of service to this community.

The record will show that there was a great difference of views between the then government and the then opposition as to whether or not it was appropriate for government to be getting involved in this particular venture. I will quote from an article in the *Canberra Times* in the early part of 2000 which gives your own views, Mr Speaker. In May 2001 you said:

The ACT government has been accused of blowing the chance to make millions of dollars for Canberra taxpayers by sharing the proceeds of a newly established quarry at Williamsdale in NSW.

The article goes on—this is Mr Berry:

He said an analysis prepared for Totalcare by Access Economics estimated the value of the quarry at “close to \$50 million” and concluded it would contribute to the ACT’s financial position either by lowering the territory’s deficit or increasing its surplus, which Mr Berry said “could lead to the lowering of taxes for Canberrans”.

Mr Speaker, the view of the then government was that such good intentions were not necessarily easy to translate into reality, and that it was safer and more appropriate for the ACT to be protected and for its risk to be minimised, by going into this venture with a joint venture partner.

That caution, that desire not to be so heavily involved in the venture as to expose the territory to serious risk, I think has been vindicated by events since then. As I say, I do not particularly like to see Totalcare or the quarry in these difficulties. However, the fact is that that possibility was always there, and in those circumstances it was always appropriate, as the Liberal Party maintained very firmly, to minimise that exposure and that risk by not being a 100 per cent shareholder of the venture. No doubt we will be told by Mr Quinlan that, if we had handled the whole thing better, there would not have been a loss, and that the great potential of the venture was squandered by our handling of the matter.

Just as we heard earlier this week that the Chief Minister is not going to do the work of public servants, so it was not the intention of the ACT government in the past couple of years to do the work of the Totalcare board it brought the joint venture proposal forward.

It believed the proposal was a goer, and it had the responsibility of managing this joint venture.

I believe it is still true to say that the potential presented by this proposal was very much a matter that needed to be worked through in the day-to-day working of the business. The fact that the proposal did not work out may not necessarily reflect on the parties who were involved in it or the way in which it was managed. There may have been other things that led to that. However, it is certainly a case of saying that, if there is not 100 per cent certainty, then 100 per cent ownership should not be taken of such ventures. We should avoid that risk and avoid the exposure of the ACT taxpayers. That has proven to be the case.

Williamsdale quarry

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (5.23): First of all, I would agree with the inference in what the Leader of the Opposition said—that hindsight is certainly a precise science and that looking back is much easier and much more certain than looking forward.

However, Mr Humphries did refer to a strong and compelling case. I really believe that that strong and compelling case should have been challenged somewhat, because, in fact, that strong and compelling case was based upon some assumptions and those assumptions really did bear challenge. Some of the assumptions might have actually translated into memoranda of understanding between the quarry enterprise and the prospective customers. However, they did not, and in fact to a large extent the business was left hanging out on a limb.

Mr Humphries referred to Mr Berry. I believe Mr Berry was entitled, at that stage—although probably a little rash—to believe that the government, as a shareholder, had at least conducted some form of challenge, and he wanted to be reassured.

There is one other problem. As I said, in hindsight, there are some great holes in the venture, and they will be borne out. In fact, I can advise the Assembly that the Auditor-General has already determined to conduct an audit into the establishment of this particular enterprise, and I don't expect that audit report to make pretty reading.

The defrayal of risk by going in with a joint venture partner would have been good too. However, I also have to inform members, without being able to give specific details, that it is now apparent that the exposure of Totalcare, and therefore the exposure of the ACT government and the ACT taxpayer, is much larger than the exposure of the joint venture partner. This means that, although the joint venture partner was a 50 per cent partner in name, in effect that is not going to be the case.

Unparliamentary language

MRS CROSS (5.26): Mr Speaker, I am not quite sure of the correct procedure in raising this matter. However, earlier, while we were debating Mr Pratt's motion, the Deputy Chief Minister yelled across to the Deputy Opposition Leader and called him an idiot.

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I know that, whilst in government, one can tend to become a little overconfident at times, but I don't think that is acceptable language. According to standing orders, that sort of language is out of order, so I would like the Deputy Chief Minister to retract that word.

MR SPEAKER: Thank you, Mrs Cross. I did not hear the exchange because there was probably a bit too much going on.

MRS CROSS: It was heard on this side.

Mr Quinlan: Mr Speaker, I did say that. If it is your judgment that it was unparliamentary—

MR SPEAKER: It would probably be better if you withdrew it.

Mr Quinlan: Yes. I withdraw that.

MR SPEAKER: Thank you, Mr Quinlan.

Housing Trust tenants

MR CORNWELL (5.27): Mr Speaker, I rise to give the government notice that I intend to continue to actively pursue, on behalf of my constituents, the issue of inappropriate behaviour by ACT Housing Trust tenants.

I condemn the ACT Housing Trust's view that the resolution of neighbourhood disputes arising from anti-social behaviour by public housing tenants is the responsibility of the responsible neighbour. Where there has been activity or behaviour that breaches the agreement signed by the tenant, the onus for finding a solution should rest with the landlord—in this case ACT Housing—and that landlord should actively demand that the offensive activity or behaviour cease, or the tenancy will be terminated.

When a tenant has destroyed the neighbourhood's right to quiet enjoyment, damaged the property, established a pattern of not paying rent or has carried out an illegal activity such as growing or dealing in drugs on the premises, I believe ACT Housing has a right—indeed an obligation—to deal decisively with the problem for the sake of the safety, security and quiet enjoyment of the immediate neighbours.

I am pleased there is currently a review of the social circumstances found in ACT Housing properties, particularly the complexes. However, the disturbance that can be caused by even one socially unfit tenant in a regular one or two homes per block suburb can cause instability in that neighbourhood, if that particular tenant is not leaned on to modify his or her behaviour. It is not acceptable that desirable tenants feel obliged to move house in order to avoid embarrassment because ACT Housing will not enforce its own tenancy agreements.

Today, one of my constituents, herself a tenant in public housing in Yarralumla, advised me that she has been back to court and has successfully extended an existing restraining order against her ACT Housing tenant neighbours for a further 12 months. For two years this lady and her two young sons have suffered physical violence, verbal abuse, and the noise and stench of a chookrun just three metres from their bedroom windows.

All the approaches by my constituent to ACT Housing to require that their miscreant tenant abide not only by the tenancy agreement, but also by the broader rules about such things as suitable placement of a fowlrun, have been fruitless. My constituent has been advised that ACT Housing does not get involved in neighbourhood disputes. What a cop-out!

In the private sector and in real life, a property manager will act on complaints about the condition of a property, and about the violent or otherwise anti-social behaviour of tenants. ACT Housing, as landlord, clearly has a right and an obligation to do that. The expectation of the community is that ACT Housing will act to preserve the amenity of ACT neighbourhoods and will cease to simply fob off complainants and send them to the court system. It is a massive cop-out, and it is to ACT Housing's shame that this should be the case.

MR SPEAKER: Order! It being 5.30 pm, in accordance with standing order 34, the Assembly stands adjourned until 5 March 2002.

The Assembly adjourned at 5.30 pm until Tuesday, 5 March 2002, at 10.30 am

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**Answers to questions
Woden Town Centre—parking
(Question No 5)**

Mr Cornwell asked the Minister for Urban Services, upon notice, on 11 December 2001:

In relation to the Woden Town Centre:

(1) Is the Woden Trash and Treasure permanently relocated from Block 108, Section 3, to Block 7, Section 105 on Sundays.

(2) Have studies been conducted to ascertain the effect upon parking of the relocation for Woden Plaza shoppers and if so, what were the findings.

Mr Wood: The answers to the member's questions are as follows:

(1) The Lions Club of Canberra Woden Inc has operated a Sunday trash and treasure market for 20 years. The Club currently holds a permit to use the public car park at the corner of Hindmarsh Drive and Ball Street (Block 7 Section 105) between 6.00am to 1.00pm each Sunday. The Permit was signed on 12 October 2001 and ended on 31 December 2001. The relocation was necessary following agreement to realign Callam Street through the previous Markets site on Block 108, Section 3.

At this stage there appears to be no impediment to granting a 12 month extension to the Permit. At the same time the Government has begun work on the Woden Town Centre Master Plan. Long term parking needs and future siting options for the Trash and Treasure Markets will be considered and resolved as part of the Master Plan that is expected to conclude by the end of 2002.

(2) Yes, parking studies have been conducted. They were undertaken mid week when parking demand is at its highest. However, a special survey of the parking impacts of the Sunday Trash and Treasure Markets has not been carried out. Anecdotal advice from Woden Plaza management suggests the loss of 162 car park spaces for the Trash and Treasure Markets has no significant adverse effect on Woden Plaza shoppers. Otherwise vacant office car parks on the eastern and western sides of the Plaza together with the basement car park and two parking structures operated by Woden Plaza management readily satisfy Sunday shopping demand.

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**Woden Town Centre—parking
(Question No 6)**

Mr Cornwell asked the Minister for Urban Services, upon notice, on 11 December 2001:

In relation to the Woden Town Centre:

- (1) Is consideration being given to enlarging parking facilities around the Woden Library to provide easier access for elderly library users.
- (2) If so (i) what is proposed and (ii) what is the time frame.
- (3) If not, why not.

Mr Wood: The answers to the member's questions are as follows:

- (1) The Government's undertaking to prepare the Woden Town Centre Master Plan began with the consideration of community views on the strengths and weaknesses of the Town Centre. Lack of appropriate parking in the vicinity of the library was identified as an important issue and solutions will be canvassed at community design workshops scheduled to be held between 12-14 February 2002.
- (2) (i) The issue will be dealt with in a co ordinated way with the community and other stakeholders as part of the overall Master Plan process.
(ii) Timing of the Master Plan should see a draft Plan produced by July 2002.
- (3) The matter is being addressed as part of the Woden Town Centre Master Plan.

**Retirement villages and/or nursing homes—Gungahlin
(Question No 7)**

Mr Cornwell asked the Minister for Planning, upon notice:

In relation to sites in the Gungahlin area allocated for retirement villages and/or nursing homes:

- (1) Have sites been allocated in the Gungahlin area for retirement villages and/or nursing homes;
- (2) If so, what are these sites by block and section references; and
- (3) If no sites have been identified why not.

Mr Corbell: The answer to the member's questions is as follows:

(1) Retirement villages and/or nursing homes have generally been provided by private organisations. To date, there have been no approaches from providers of older persons' accommodation seeking to establish such facilities in the Gungahlin area. This may be due, in part, to the fact that the number of people in Gungahlin who are 65 years or older is much lower than in other districts.

Retirement villages and/or nursing homes have generally been located on land that has a Community Facility land use policy. When there is demand for such a facility, appropriate land is identified taking into account a range of factors such as surrounding land use, access to public transport and other health and cultural facilities and open space areas. There are unleased community facility blocks available in Gungahlin.

A review into the planning policies for north Gungahlin is underway. As part of this process Community Facility land will be identified.

(2) The following sites in Gungahlin are unleased Territory land and have a Community Facility land use policy: Blocks 11 and 12 Section 73 Nicholls and Block 4 Section 78 Nicholls.

**Dental health services
(Question No 9)**

Mr Cornwell asked the Minister for Health, upon notice, on 11 December 2001:

In relation to the Government dental health service:

- (1) How many people are on the waiting list for attention.
- (2) What is the average waiting time for (a) non-urgent problems and (b) urgent problems.
- (3) How many people are awaiting (a) initial denture provision, and (b) denture replacement.
- (4) What is the average waiting time for dentures to be (a) initially fitted and provided, and (b) repaired or replaced.

Mr Stanhope: The answer to the member's question is:

The Government dental health service provides services to both children and adults.

For the children's dental service there are currently no waiting lists. The only exception is children who require a general anaesthetic for dental care. These bookings are dependent on available operating theatre sessions at The Canberra Hospital, Calvary Hospital or Lydia Perrin Hospital.

The following answers to your questions relate to the adult dental health service.

(1) How many people are on the waiting list for attention.

Currently (at 13 December 2001), there are 3,540 adults on the restorative waiting list.

(2) What is the average waiting time for (a) non-urgent problems and (b) urgent problems.

(a) For non-urgent clients, the current waiting time is 18 months.

The 2001-2002 budget provided an additional \$1.0m to support the reduction of waiting lists for restorative services. Half of this funding is to be allocated to recruiting additional dental teams and half for referring clients out to private dentists. As a result, additional dental teams have been recruited and extra clients are being referred to private practitioners.

Activity in the adult dental service is running at over 30% the level achieved at this time last year. A downward trend in waiting times has resulted. It is estimated that the current waiting time for restorative dentistry will be halved by the end of the current financial year.

An additional \$0.5m has been provided in the 2001-2002 budget for the next three years. It is anticipated that all waiting lists will have been eliminated by the end of this period if current staffing levels are maintained.

The Dental Health Program experiences difficulties in recruiting and retaining clinical and laboratory staff, particularly Dentists and Laboratory Technicians, due to salaries being uncompetitive with the private sector. This exacerbates the waiting list issues.

(b) Urgent clients are seen on the same day.

Both Civic Dental Clinic and Phillip Dental Clinic provide emergency services at 8:15 am and 1:15 pm Monday - Friday. Phillip Clinic also provides an emergency clinic on Saturday morning.

Patients waiting for routine treatment are advised to attend these clinics if they experience problems.

(3) How many people are awaiting (a) initial denture provision, and (b) denture replacement.

There is no waiting list for (a) initial denture provision or (b) denture replacement. The waiting list for full dentures was eliminated in May 2001. Clients are given the first available appointment. This is usually within one week.

(4) What is the average waiting time for dentures to be (a) initially fitted and provided, and (b) repaired or replaced.

After the initial consultation the provision of new dentures or the replacement of existing ones is currently around 8 weeks. Repairs have a 24 hour turnaround. Clients with dentures that require adjustment or are ill-fitting receive a service within 3 weeks. If there is a cancellation the laboratory will accommodate clients sooner.

**St Andrews retirement village, Hughes
(Question No 11)**

Mr Cornwell asked the Minister for Planning, upon notice:

In relation to the application by St Andrew's Retirement Village in Hughes to develop Block 12 Section 28 adjacent to its existing facilities which was caught up in the moratorium on development put in place by the previous Government in response to the current Government's criticism of proposals

(1) Will the Government now lift the moratorium on this retirement village extension; and

(2) When will processing of the application recommence and from what point in the approval process will it begin.

Mr Corbell: The answer to the member's question is as follows:

(1) I understand that St Andrews Retirement Village had approached the previous Government about the possible direct sale of part of Block 12 Section 28 Hughes to extend its retirement village. This land has a land use policy under the Territory Plan of Urban Open Space. As such, its proposed use was inconsistent with the Territory Plan and so a Territory Plan variation and Preliminary Assessment would be required.

Discussions had progressed about the possibility of a draft variation being put forward when the then Chief Minister announced a moratorium on the development of urban open space.

This Government went to the last election with the clear statement that it will not support development on areas designated as urban open space. This recognised the concern expressed in the community about the loss of land that it perceives to be urban open space. As a consequence, the importance of consulting with the community about identifying and classifying the open space network was highlighted in the policies.

The need to provide appropriate accommodation for older Canberra's was also recognised as a priority.

Given the need to address the on-going requirement for older persons' accommodation it is considered necessary to consult the community about the proposed use of the land as part of the open space audit. This will be initiated shortly.

Depending upon the outcome of the consultation, a decision will be made on whether the proposed use of the land is supported by Government.

(2) The application by St Andrew's Village has lapsed. A new application will be required if there is Government support for the proposed development.

**Government schools—students with disabilities
(Question No 12)**

Mr Cornwell asked the Minister for Education, Youth and Family Services, upon notice, on 12 December 2001:

In relation to students classified as disabled attending Government schools:

- (1) How many disabled students attend the following:
 - (a) primary schools;
 - (b) high schools; and
 - (c) colleges.
- (2) How many extra teachers in total, by school level does this represent.
- (3) What is the cost, by school level of funding these students per capita.
- (4) In each of the above questions, what are the comparable statistics for non-government schools.

Mr Corbell: The answer to Mr Cornwell's question is:

Government Schools

(1) Enrolments of students with disabilities in government schools at the August 2001 census are as follows. Enrolments in special schools are also included.

- | | |
|---------------------|-----|
| (a) special schools | 294 |
| (b) primary schools | 770 |
| (c) high schools | 321 |
| (d) colleges | 92 |

(2) The department employs 43 teachers to provide integration support for students with disabilities and itinerant support to sensory impaired or chronically ill students in mainstream classes.

Primary and secondary programs established specifically for students with disabilities have their own staffing formula. Teachers in these programs are therefore not considered to be "extra". Mainstream class teachers teach students with disabilities in their classrooms, with assistance from special teacher's assistants, as a normal part of their duties.

(3) The estimated outcome in the 2000-2001 financial year of the average cost per government special school student is \$38,508. The estimated outcome in the 2000-2001 financial year of the average cost per government special education student in mainstream schools is \$18,312.

Non-Government Schools

(1) Enrolments of students with disabilities in non-government schools at the February 2001 census is as follows:

- | | |
|----------------------------|-----|
| (a) primary schools | 86 |
| (b) secondary (years 7-12) | 162 |

(2) Non-government schools manage their own staffing and staff numbers are not reported to the Department of Education and Community Services.

**Housing—tenants' debts
(Question No 14)**

Mr Stefaniak asked the Minister for Urban Services, upon notice:

In relation to the ACT Housing debt:

- (1) How many tenants have accrued debt that reside in:
- (a) bedsits;
 - (b) 1 bedroom flats;
 - (c) 2 bedroom flats;
 - (d) 3 bedroom flats;
 - (e) 2 bedroom houses;
 - (f) 3 bedroom houses;
 - (g) 4 bedroom houses;
 - (h) 5 bedroom houses;
 - (i) 6 + bedroom houses;
 - (j) aged persons units with (i) 1, (ii) 1.5, and (iii) 2 bedrooms; and
 - (k) townhouses with (i) 1, (ii) 2 and (iii) 3 bedrooms.

(2) How many tenants in debt owe:

- (a) less than \$500;
- (b) more than \$500 but less than \$1,000
- (c) more than \$1,000 but less than \$2,000
- (d) more than \$2,000 but less than \$5,000; and
- (e) more than \$5,000 but less than \$10,000

Mr Wood: The answer to the member's question is:

(1) Tenants with rental arrears	Tenants with Sundry Debt	
(a)	40	
(b) 153		107
(c) 327		135
(d) 13		9
(e) 187		143
(f) 1068		957
(g) 185		154
(h) 33		42
(i) Included in the figure for 5 bedroom houses – see (h) above.		
(j) (i)	38	
	(ii)	22

ACT Housing's computer system does not separately identify 1.5 bedroom OPAs.

(k) Townhouses are included in the figures for flats.

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	Tenants with rental arrears	Tenants with S
(2)		
(a)	1616	1470
(b)	269	103
(c)	138	32
(d)	49	3
(e)	4	

**Housing—waiting list
(Question No 15)**

Mr Stefaniak asked the Minister for Urban Services, upon notice:

In relation to the ACT Housing waiting list:

(1) What is the waiting list of those people waiting for priority allocation in:

- (a) North Canberra;
- (b) Belconnen;
- (c) Weston;
- (d) Woden;
- (e) Tuggeranong;
- (f) Oaks Estate; and
- (g) Gungahlin

(2) What is the waiting list of those people waiting for priority allocation for the following types of accommodation:

- (a) bedsits;
- (b) 1 bedroom flats;
- (c) 2 bedroom flats;
- (d) 3 bedroom flats;
- (e) 2 bedroom houses;
- (f) 3 bedroom houses;
- (g) 4 bedroom houses;
- (h) 5 bedroom houses;
- (i) 6 + bedroom houses;
- (j) aged persons units with (i) 1, (ii) 1.5 and (iii) 2 bedrooms;
- and
- (k) townhouses with (i) 1, (ii) 2 and (iii) 3 bedrooms.

Mr Wood: The answer to the member's question is:

(1) (a)	City	100 (includes North Canberra)
(b)	Belconnen	87
(c)	Weston	122
(d)	Woden	141
(e)	Tuggeranong	138
(f)	Rural	2 (includes Oaks Estate)
(g)	Gungahlin	74

2) (a)	bedsits	11
(b)	1 Bedroom flats	91
(c)	2 Bedroom flats	53
(d)	3 Bedroom flats	2
(e)	2 Bedroom houses	30
(f)	3 Bedroom houses	107
(g)	4 Bedroom houses	17
(h)	5 Bedroom houses	2
(i)	6 Bedroom houses	(included in the figure for 5 Bedroom houses)
(j)	Aged persons units	
(i)		20
(iii)		20

ACT Housing's computer system does not separately identify 1.5 bedroom OPAs.

(k) Townhouses are included in the figures for flats.

Note: Some applicants have expressed interest in being accommodated in more than one suburb. Consequently, their name appears in these statistics on more than one occasion.

**Public housing
(Question No 16)**

Mr Stefaniak asked the Minister for Urban Services, upon notice:

In relation to Public Housing:

(1) What is the make-up of housing stock in:

- (a) North Canberra;
- (b) Belconnen;
- (c) Weston;
- (d) Woden;
- (e) Tuggeranong;
- (f) Oaks Estate; and
- (g) Gungahlin

(2) What is the make-up of housing stock for the following types of accommodation:

- (a) bedsits;
- (b) 1 bedroom flats;
- (c) 2 bedroom flats;
- (d) 3 bedroom flats;
- (e) 2 bedroom houses;
- (f) 3 bedroom houses;
- (g) 4 bedroom houses;
- (h) 5 bedroom houses;
- (i) 6 + bedroom houses;
- (j) aged persons units with (i) 1, (ii) 1.5 and (iii) 2 bedrooms;
- and
- (k) townhouses with (i) 1, (ii) 2 and (iii) 3 bedrooms.

(3) For each category in each region, what is (a) the number of people on the waiting list and (b) what is the expected waiting time for allocation from the non-priority waiting list.

Mr Wood: The answer to the member's question is:

(1) (a) City	2954 (includes North Canberra)
(b) Belconnen	2864
(c) Weston	675
(d) Woden	2294
(e) Tuggeranong	2256
(f) Rural	143 (includes Oaks Estate)
(g) Gungahlin	253

(2) (a)	Bedsits	177	
(b)	1 Bedroom flats		1160
(c)	2 Bedroom flats		1270
(d)	3 Bedroom flats		49
(e)	2 Bedroom houses		1249
(f)	3 Bedroom houses		5381
(g)	4 Bedroom houses		683
(h)	5 Bedroom houses		134
(i)	6 Bedroom houses		(included in the figure for 5 bedroom houses)
(j)	Aged Persons Units		
(i)	905		
(iii)	431		

ACT Housing's computer system does not separately identify 1.5 bedroom OPAs.

(k) Town houses are included in the figures for flats.

Waiting Lists

(3a)	(a) City	699	(includes North Canberra)
(b)	Belconnen	466	
(c)	Weston	479	
(d)	Woden	841	
(e)	Tuggeranong	819	
(f)	Rural	23	(includes Oaks Estate)
(g)	Gungahlin	320	

(3a)	(a)		Bedsits
(b)	1 Bedroom flats	725	
(c)	2 Bedroom flats		316
(d)	3 Bedroom flats		8
(e)	2 Bedroom houses		297
(f)	3 Bedroom houses		684
(g)	4 Bedroom houses		111
(h)	5 Bedroom houses		20
(i)	6 Bedroom houses		(included in the figure for 5 bedroom houses)
(j)	Aged Persons Units		
(i)	1 Bedroom	181	
(iii)	2 Bedroom	87	

ACT Housing's computer system does not separately identify 1.5 bedroom OPAs.

(k) Town houses are included in the figures for flats.

Average Allocation Time

(3b)	(a) City	9.1 months (includes North Canberra)
	(b) Belconnen	10.3 months
	(c) Weston	9.9 months
	(d) Woden	8.7 months
	(e) Tuggeranong	12.2 months
	(f) Rural	20.6 months (includes Oaks Estate)
	(g) Gunghalin	3.4 months.

(3b)	(a)	Bedsits
(b)	1 Bedroom flats	12.7 months
(c)	2 Bedroom flats	6.1 months
	(d) 3 Bedroom flats for 3 bedroom houses)	(not recorded separately, included in the figure
(e)	2 Bedroom houses	9.6 months
(f)	3 Bedroom houses	7.5 months
(g)	4 Bedroom houses	18.1 months
(h)	5 Bedroom houses	20.9 months
	(i) 6 Bedroom houses for 5 bedroom houses)	(not recorded separately, included in the figure
	(j) Aged Persons Units	
	(i) 1 Bedroom	14.1 months
	(iii) 2 Bedroom	7.9 months
	ACT Housing's computer system does not separately identify 1.5 bedroom OPAs.	
(k)	Town houses are included in the figures for flats.	

**Housing—tenants' debts
(Question No 25)**

Mr Cornwell asked the Minister for Urban Services, upon notice:

What is the total amount of occupant debt in ACT Housing Trust properties at 31 December 2001.

Mr Wood: The answer to the member's question is:

The total amount of occupant debt in ACT Housing properties at 13 December 2001 was \$1,095,505.30.

**Housing—evictions
(Question No 26)**

Mr Stefaniak asked the Minister for Urban Services, upon notice:

In relation to Act Housing evictions:

(1) For the following years, how many tenants were (a) evicted, and (b) the specific reasons given for the evictions:

- (a) 1997;
- (b) 1998;
- (c) 1999;
- (d) 2000; and
- (e) 2001

Mr Wood: The answer to the member's question is:

1(a) ACT Housing's evictions data is maintained by Financial Year.

- | | | |
|-----|-----------|--------------------|
| (a) | 1997/1998 | 128 |
| (b) | 1998/1999 | 50 |
| (c) | 1999/2000 | 38 |
| (d) | 2000/2001 | 56 |
| (e) | 2001/2002 | 68 (to 18/12/2001) |

1(b) Specific reasons for evictions include the following kinds of tenancy breaches.

- (a) debt;
- (b) excessive noise;
- (c) property damage;
- (d) refusal to allow justifiable property inspections.

Debt is the most frequent reason for seeking an eviction.

**Housing—maintenance budget
(Question No 27)**

Mr Stefaniak asked the Minister for Urban Services, upon notice:

In relation to ACT Housing's maintenance budget:

- (1) What is the maintenance budget for:
 - (a) North Canberra;
 - (b) Belconnen;
 - (c) Weston;
 - (d) Woden;
 - (e) Tuggeranong;
 - (f) Oaks Estate; and
 - (g) Gungahlin

(2) Itemise the specific categories of maintenance in the budget allocation.

Mr Wood: The answer to the member's question is as follows:

1. ACT Housing's 2001-2002 maintenance budget is not allocated down to a regional or suburb level.
2. ACT Housing's maintenance budget is divided into four categories. They are:
 - **Repairs.** The 2001-2002 Repairs and Maintenance budget is \$9.24 million. The budget generally includes responsive repairs aimed at addressing the urgent and priority requirements of health, safety, and security. Typically, this includes electrical, plumbing, repairing of heaters, stoves and hot water systems, and glazing works.
 - **Planned Maintenance.** The 2001-2002 Planned Maintenance budget is \$13.16 million. It funds the provision of property finishing services such as painting (internal and external) and the replacement of floorcoverings. In multi-unit complexes it funds the servicing of air conditioning, central heating, and lifts. The budget also covers the cost of infrastructure and external works, including minor servicing, insulation, and security lighting. This amount includes \$1.5 million for property services which is used to meet the cost of cleaning common areas and horticulture.
 - **Improvement and Refurbishment Program.** The 2001-2002 budget for these works is \$7.5million. It involves the capital improvement of kitchens, laundries, and bathrooms. It also involves major service/infrastructure works, roofing and the installation of disabled modifications.
 - **Works on the Larger Multi-Unit Properties.** The 2001-2002 budget for these works is \$4.6million.

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**Government shopfronts
(Question No 32)**

Mr Stefaniak asked the Minister for Urban Services, upon notice:

In relation to Government Shopfronts.

What is the location of each shopfront?

Which agencies are represented in each shopfront?

How many staff work (a) full time and (b) part time in each (i) shopfront for (ii) each agency

How many (a) verbal and (b) written complaints were recorded in (i) 1999, (ii) 2000 and (iii) 2001.

Mr Wood: The answers to the member's questions are as follows:

(1) The location of each shopfront in Urban Services is as follows:

Canberra Connect Civic – FAI Building London Circuit

Canberra Connect Tuggeranong – Homeworld Building

Canberra Connect Woden – Woden Library Building

Canberra Connect Belconnen – Swanson Plaza

Road User Services – 13 – 15 Challis St, Dickson

ACT Housing has four shopfront locations. Belconnen, City and Tuggeranong are shared with Canberra Connect and Woden is located in the Health Building opposite the Canberra Connect Shopfront.

The Environment ACT shopfront (Environment ACT Information Centre and Helpline) is located on the 2nd floor tower, Macarthur House, Lyneham.

PALM Customer Service Centre

Ground Floor South

Dame Pattie Menzies House

16 Challis Street Dickson

BEPCON Licensing and ACTLIC Plan room

Ground Floor North

Dame Pattie Menzies House

16 Challis Street Dickson

BEPCON Licensing

Cnr Hoskins & Lysaght Sts Mitchell

Other government departments also provide shopfront services to customers including the ACT Revenue Office and Registrar General's Office.

(2) All agencies are represented in each Canberra Connect shopfront apart from Education and Health.

Road User Services includes:
 ACT Road Transport Authority
 Justice and Community Safety – Pubcards
 Roads ACT – Dimensions and Mass

ACT Housing shopfronts provide services only on behalf of ACT Housing. The Woden shopfront is co-located with mental health, dental and other health services.

The Environment ACT Information Centre and Helpline primarily represents Environment ACT by providing a point of contact for the community to obtain information on environment and heritage matters. Due to its location in the foyer of Macarthur House it also provides reception and directory services for other Department of Urban Services agencies in the building.

PALM Customer Service Centre Dickson: represents PALM only. Canberra Connect kiosks are located on site and offer services from most government agencies.

PALM (BEPCON) Licensing and ACTLIC Plan Room Dickson: represents PALM, ACT Workcover, ACT Building Construction Board, Canberra Urban Parks & Places (collection of fees, sales of land information on behalf of these agencies) Building Industry Licences.

PALM – Mitchell: represents ACT Workcover, ACT Building Construction Board (receipting of fees for these agencies), conveyancing and energy rating packages for customers (PALM).

(3) Numbers of staff Agency staff are not 'represented' in Canberra Connect shopfronts. Canberra Connect staff provide integrated value added services on behalf of other agency business units. Staff in business specific shopfronts, such as the ACT Registry, are dedicated to that function.

AGENCY	FULL TIME	PART TIME
Canberra Connect Woden	3	11
Canberra Connect Belconnen	3	10
Canberra Connect Tuggeranong	5	7
Canberra Connect Civic	5	5
Road User Services – Dickson	18	11
ACT Housing Woden	1	2
ACT Housing City	1	2
ACT Housing Tuggeranong	1	1
ACT Housing Belconnen is co-located with ACT Housing 's Applicant Services Centre and includes reception and counter duties	5	2
Environment ACT Information Centre and Helpline	1	4
PALM Customer Service Centre Dickson	6	3
PALM (BEPCON / ACTLIC) Dickson	5	
PALM Mitchell	5	

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(4) Verbal and written complaints recorded were as follows:

Canberra Connect Shopfronts complaints:

- (I) 1999 – 61
- (ii) 2000 – 27
- (iii) 2001 – 35

These numbers are relative to an average of 650,000 transactions through shopfronts per annum.

Road User Services' complaints:

- (i) 1999 – no record
- (ii) 2000 – 67
- (iii) 2001 – 126

Complaints are based on approximately one million customer interactions per annum. RUS does not separately record written and verbal complaints.

The increase from 2000 to 2001 is attributed to 1) the introduction of a customer feedback process under the RUS QA system that ensures complaints are recorded and dealt with; and 2) the large number of complaints regarding the introduction of continuous vehicle registration. Complaints include issues such as customer service, system related problems and policy decisions.

ACT Housing's total official complaints received through the customer Assistance Helpline for the requested periods are:

- (i) 1999 - 385 complaints
- (ii) 2000 - 365 complaints
- (iii) 2001 - 322 complaints

The majority of complaints to ACT Housing are directed to the Customer Assistance Helpline. Statistics are recorded of complaints received by the Helpline and the nature of the complaints. Separate statistics are not kept of the complaints received through the shopfronts. There have been no formal complaints received about ACT Housing's shopfront service. Informal, verbal complaints made at the shopfronts about ACT Housing's operations are not recorded unless they are to be resolved by shopfront staff. The above figures do not include written or telephone complaints through the minister's office or written correspondence that is directed to the Executive Director.

The Environment ACT Information Centre and Helpline receives Environment Protection complaints via the telephone from the public (generally about other members of the public, business or industry). The Environment ACT Information Centre and Helpline does not receive written Environment Protection complaints. The number of verbal Environment Protection complaints recorded are:

- (i) 1999 – unavailable *
- (ii) 2000 – 661
- (iii) 2001 – 604

* Environment Protection complaints for 1999 are unavailable due to the reporting capability of the Helpline database at that time

PALM Customer Service Centre (statistics are combined written and verbal complaints):

- (i) 1998 /99 - 23 complaints
- (ii) 1999/00 - 17 complaints
- (iii) 2000/01- 11 complaints

BEPCON and ACTLIC plan room – Dickson and Mitchell

- (I) 1999 – 1 verbal complaint recorded, 10 written complaints
- (ii) 2000 – nil verbal complaint recorded, 7 written complaints
- (iii) 2001 – 2 verbal complaints recorded, 4 written complaints

**Professional sporting teams
(Question No 41)**

Mr Cornwell asked the Minister for Sport, Racing and Gaming, upon notice, on 19 February 2002:

In relation to money provided to professional sporting teams:

In (a) 2000-01 and (b) 2001-02 to 31 January, how much money was paid to the (I) Raiders (ii) Brumbies (iii) Cosmos (d) Capitals (e) any other professional sporting team by name?

Mr Quinlan: The answers to Mr Cornwell's questions are:

(a) Canberra Raiders	Rugby League	\$100,000
ACT Brumbies	Rugby Union	\$100,000
Canberra Cosmos	Soccer	\$100,000
Canberra Capitals	Women's B/Ball	\$70,000
Canberra Cannons	Men's B/Ball	\$100,000
Canberra Strikers	Women's Hockey	\$40,000
Canberra Lakers	Men's Hockey	\$40,000
Canberra Comets	Men's Cricket	\$30,000
ACT Rams	Australian Rules Football	\$20,000

(b) Canberra Raiders	Rugby League	\$50,000 *
ACT Brumbies	Rugby Union	\$50,000 *
Canberra Cosmos	Soccer	\$100,000
Canberra Capitals	Women's B/Ball	\$35,000 *
Canberra Cannons	Men's B/Ball	\$100,000
Canberra Strikers	Women's Hockey	\$20,000 *
Canberra Lakers	Men's Hockey	\$20,000 *
Canberra Comets	Men's Cricket	\$20,000
ACT Rams	Australian Rules Football	\$20,000
Canberra/Hobart Dolphins	Men's Water Polo	\$10,000

* denotes 50% of annual payment.

**Assembly library
(Question No 67)**

Mrs Dunne asked the Minister for Urban Services, upon notice:

In relation to items on loan from the ACT Government and Assembly library:

How many items are currently unaccounted for in the Assembly Library.

What is the approximate value of these items.

What is the breakdown between (a) overdue loans and (b) missing items.

What steps are being taken to ensure that adequate security is maintained for the Library's resources.

Mr Wood: The answer to the member's questions is as follows:

100 at 22 February 2002.

\$442.97.

(3)(a) 65.

(3)(b) 35.

(4) The Library's security system has been checked and no one is able to gain access to the library out of opening hours. Most losses are sustained when eligible borrowers fail to return items. Normal follow-up practices apply.

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**Technical Aid for the Disabled ACT
(Question No 82)**

Mr Cornwell asked the Minister for Health, upon notice, on 20 February 2002:

In relation to Technical Aid for the Disabled ACT (TADACT):

What level of financial assistance did this organisation receive from the ACT Government in:

- (a) 1999-2000;
- (b) 2000-01; and
- © 2001-02 to date.

Mr Stanhope: The answer to the member's question is:

The level of financial assistance Technical Aid for the Disabled ACT (TADACT) received from the ACT Government is as follows:

(a) 1999-2000: \$64,736

(b) 2000-2001: \$65,707

© 2001-2002 to date: \$80,358

Plus an additional \$15,000 has been agreed to and the paperwork is currently being completed to enable this to be paid to the organisation as a recurrent increase from this financial year.