



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

15 May 2002

## Wednesday, 15 May 2002

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**The Assembly met at 10.30 am.**

*(Quorum formed.)*

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

## **Medical Practitioners (Maternal Health) Amendment Bill 2002**

**Ms Gallagher**, pursuant to notice, presented the bill.

Title read by Clerk.

**MS GALLAGHER** (10.34): I move:

That this bill be agreed to in principle.

Mr Speaker, I present this bill today to address concerns that have been raised about the status of abortion procedure if the Health Regulation (Maternal Health Information) Act is repealed.

Particular concern has been expressed regarding protection for women seeking abortions in terms of who is qualified to perform the procedure and where it is appropriate for the procedure to be carried out. Concern has also been raised in relation to the option for a medical professional not to perform or take part in an abortion procedure if she or he has moral or ethical concerns.

I am seeking to ensure that these concerns are allayed for women seeking abortions and for medical staff who perform abortions or for those who choose not to perform them. My amendments to the Medical Practitioners Act address these concerns by inserting a part 4B, "Abortions", into the act.

Section 55B proposed by this amendment bill explicitly states that an abortion can be performed only by a registered medical practitioner, while proposed section 55C requires that abortion can be carried out only in an approved medical facility. Proposed section 55E then specifically legislates for medical professionals to have the ability not to assist in a termination procedure. Proposed section 55A defines abortion for the act, and proposed section 55D addresses how a facility is approved.

These amendments will have minimal impact on the Medical Practitioners Act, as they only seek to explicitly legislate for what is already impliedly covered by the act. The inclusion of these amendments in the Medical Practitioners Act provides for abortion to be treated like any other medical procedure, while at the same time addressing the concerns of those who feel that repealing the Health Regulation (Maternal Health Information) Act would leave women and medical professionals without the protection they deserve.

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I am introducing these amendments in support of Mr Berry's bill to repeal the Health Regulation (Maternal Health Information) Act. I must make it clear that these amendments will come into force only if Mr Berry's bill to repeal the Health Regulation (Maternal Health Information) Act is passed.

I would ask members to carefully consider these amendments and the security they offer both to women who face the unfortunate circumstance of an unwanted pregnancy and to doctors and medical staff who seek both legal permission to carry out an abortion and a specific exemption from performing the procedure if they do not wish to.

These amendments offer women who seek a termination the reassurance that others who seek any other medical procedure expect: the reassurance of a law that protects them from malpractice by specifically stating that only registered practitioners can perform the procedure and that the procedure must be carried out in a government-approved facility.

Unfortunately, women who seek a termination have not always had this protection, either because abortion was illegal or because its legal status was untested. These amendments ensure that in the event of Mr Berry's bills being passed the concerns of the community and of women are addressed and women are specifically protected when they seek a termination.

As regards the rights of medical practitioners not to perform an abortion if they have moral or ethical reasons not to, the policy considerations are obvious. Clearly, it is not advisable to force a doctor, or anyone, to perform or take part in a procedure that they consider contrary to their personal, moral or ethical code. The AMA code of ethics states:

When a personal moral judgement or religious belief alone prevents you from recommending some form of therapy, inform your patient so that they may seek care elsewhere.

The whole point of these amendments is to protect women seeking abortion, as well as those considering one, by providing them with unambiguous legal protection. It is perhaps unfortunate that standard medical safety and obligation regulations must be drafted for abortion when they exist only generally for other procedures. To me this is indicative of the fact that the right of a woman to make a choice about her reproductive destiny is still a tenuous one.

I introduce these amendments in support of a woman's right to choose and in support of Wayne Berry's bills to deliver to the women of the ACT freedom of choice. These amendments are a sensible approach to a sensitive and often contested issue.

I urge my fellow members to support women, to look beyond their own personal responses to abortion as choice either for themselves or for others, and to accept that women do choose abortion and that to abandon them in this choice is a serious breach of the responsibility we have to the community. If you cannot support the right of women to choose, at least support the right of women to the best and safest medical treatment available by supporting these few simple amendments.

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

## **Planning and Environment—Standing Committee Report No 2**

**MRS DUNNE** (10.39): I move:

That this Assembly authorise the publication of Report No 2 of the Standing Committee on Planning and Environment entitled Service Delivery—2002-03 Budget consultation process.

This is purely a clean-up motion that fixes an oversight on our part when this report was first tabled.

Question resolved in the affirmative.

### **Industrial deaths**

**MS GALLAGHER** (10.40): I move:

That this Assembly:

- (1) acknowledges that Australia has one of the highest rates of industrial deaths in the OECD;  
and
- (2) calls on the Minister for Industrial Relations to introduce industrial manslaughter legislation by the end of this sitting year.

Mr Speaker, as you would know, more Australians die as a result of industrial accident each year than die on Australia's roads. Yet industrial death tolls are not published on our nightly news bulletins, there are no hard-hitting advertising campaigns to raise awareness of the issue and, sadly, it is relatively infrequently that anyone is held accountable for a workplace death.

Industrial deaths are not inevitable; they are not a result of inherent dangers in the industries involved. They are often avoidable and preventable, but it is often the case that no-one is held accountable.

Introducing or recognising the crime of industrial manslaughter is an appropriate way to ensure that occupational health and safety laws are adhered to by employers. These changes would ensure that employers exercise the responsibility they are vested with to make their workplaces safe and functioning. Only by instituting industrial manslaughter as an offence can we make sure that our workplaces and workers are safe and secure.

Mr Speaker, I will say this again throughout my speech, but it is a point worth labouring: responsible employers who take preventative measures to stop workplace injuries and deaths have nothing to fear from any of the proposed changes. It is those who breach their legal obligations who will attract the deserved attention of any changes in this area of law.

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Australia has rates of industrial deaths that are higher than the average for Canada, Iceland, Japan, New Zealand, Norway, the United States, Austria, Denmark, Finland, Germany, Greece, Ireland, Italy, the Netherlands, Portugal, Sweden, the United Kingdom, the Czech Republic, Lithuania, Macedonia, Poland, Slovakia and Slovenia.

The estimated rate for industrial deaths in the European Union is 5.89 workers for every 100,000 workers, while in Australia 7.5 workers per every 100,000 die because of work-related accident or disease.

If we introduce legislation that would provide for the prosecution of a corporation and its directors if that company was responsible for the death of one of its employees, it would send a message to the corporate world that industrial deaths are not acceptable. This would not increase the liability of employers. It would simply make them more accountable.

Corporations and directors currently have the ability to escape criminal liability, because it is difficult to apply existing manslaughter law to corporate entities or individuals that hide behind complicated corporate structures. The fines arising from occupational health and safety legislation have failed to deter corporations from unsafe and negligent workplace practices and conditions, and until criminal sanctions are brought to bear, directors will continue to be able to hide behind the corporate veil and corporations will absorb the fines.

Laws to create an offence of industrial manslaughter or similar moves would not only act as a deterrent but also send a message to workers that their lives are valuable, that workplace deaths are never anything but tragic and that corporations cannot and should not escape responsibility for their actions should they be grossly negligent.

A change to introduce or recognise the crime of industrial manslaughter would give the ACT the opportunity to be part of a unified approach from many states and recognise that liability should lie with those who exercise the authority at work sites, the employers. It should be a coordinated, national approach. Unfortunately, the federal government seems unable to recognise the seriousness of this issue. But we do need to have comprehensive legislation to ensure a number of issues are clearly and explicitly addressed.

- Those in control of workplaces must be held responsible for acts or omissions which result in death or serious injury.
- Courts must have the ability to look at the aggregated conduct of any number of employees, agents or officers of the body corporate in determining guilt.
- Liquidation of a corporation should not result in directors escaping liability.
- And there must be a capacity to impose criminal liability on directors and senior managers of a body corporate, so that their liability is attached to the appropriate level of management.

Proposed Victorian legislation has explored a number of different forms of sentencing, including jail, fines, custodial sentences, community service orders and the disbarring or disqualifying of employees from conducting similar business.

When employers do not pay adequate attention to the occupational health and safety laws—leading to serious injury or death—then these penalties are an important penalty, an important enforcement of community standards and a recognition of the value of working Australians' lives.

Canberrans want and deserve safe and profitable workplaces. And every family in the territory has a right to expect that their loved ones will return from work safely at the end of the day or the end of a shift.

Again, employers have an interest in engaging with this issue. Safe workplaces are profitable workplaces, and employers who take OH&S seriously know that it is a sound investment. Any reforms in this area will recognise that reducing workplace accidents, diseases and deaths requires the coordination of individuals, unions, employers and government. We cannot make workplaces accident free, but we can provide an engaging framework which recognises potential workplace risks and minimises the potential impact on workers by apportioning responsibility.

Any changes towards a crime of industrial manslaughter should not introduce any new liability for corporations but should allow for prosecutions for breaches of accepted community standards by offending corporations to be brought more effectively.

Historically, workers or their families have rarely received adequate recompense or recognition for suffering caused by industrial accident or death. It has often been the labour movement that has sought for many years to bring those responsible for industrial deaths to justice. The common law and criminal codes formed before the rise and rise of corporate invisibility have been of little use to workers who have sought compensation for the bad or negligent practice of their employers. We must acknowledge here today that employers have in the past exploited the corporate structure for that very reason. It has made offenders untouchable and absolved them of any personal liability.

The law in Australia does not recognise vicarious liability for a criminal act. It allows argument to be mounted successfully that only the highest directors can be liable for the acts of the corporation, denying modern management structures and the realities of workplace relations. This motion, if we give it our support today, is an attempt at prompting law reform—that is, bringing the law up to date with modern relations in the modern world. Those in dangerous workplaces know these modern realities very well.

It is time for us to acknowledge that up until now unions, relatively unsupported, have been the only champion of workers rights when the issue of criminal liability over industrial manslaughter comes up. Unions have been instrumental in lobbying and implementing what occupational health and safety legislation we already have. They have provided support—legal, financial, and emotional—for the families of victims killed in negligent industrial accidents as they have fought to bring the corporations responsible for those poor conditions and practices to justice. And unions have tirelessly lobbied governments all over this country to highlight the issue of industrial manslaughter and to pave the way for me to put the motion here today.

There is continuing relevance and importance in protecting workers and their rights in this area. I would hope that we can all see the necessity to protect the lives of workers and prosecute those who treat those lives without the respect they deserve.

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Let us recognise that this is a problem across state and territory borders, that there is a clear need for legislative reform, and that governments at all levels must lead on this issue to ensure the maintenance of community standards. It is time to show that governments do support the workers they also represent, that loss of life at a workplace is as serious and tragic as a loss of life on our roads and that legislation will ensure that those responsible for that death can be held accountable.

I call on all MLAs here today to support the motion, which calls on the government to introduce this important legislation and, by doing so, support ACT workers. As I have mentioned, there are moves all over Australia towards making corporations and directors criminally liable when they have failed in their duty to provide safe working environments for their employees.

Legislation in Victoria would have seen fines of up to \$5 million for a company and fines of up to \$180,000 for an individual, with a possible five-year jail sentence. Unfortunately, though perhaps not surprisingly, this legislation was blocked by the Liberals in the upper house, and Victorian workers have lost whatever protection they may have been granted by these reforms.

The Beattie government in Queensland looks like it may be successful when it introduces dangerous industrial conduct laws some time in the new year. If the ACT is able to introduce laws before then, this government will be the first in Australia to recognise the protection that workers deserve and the liability that corporations must accept for any negligence.

I strongly urge the Assembly to support this motion. Workers deserve to know that there is more than an insignificant fine compelling corporations to provide safe workplaces and practices. They deserve to know that a failure to provide safe conditions when that failure results in death will see that that corporation is held accountable. Workers deserve the support of members of this Assembly, and I urge you all to vote for this motion.

**MR PRATT (10.50):** I rise to support the general thrust of this motion. Industrial deaths are unacceptable and any workplace which has in place practices which are risky to the point that deaths are going to occur more easily than they should certainly needs to be condemned. Like everything else in life, risk management procedures are not watertight and they are not foolproof. Deaths and injuries may occur. But so long as management has in place ample correct procedures in accordance with best practices, Commonwealth legislation and territorial legislation, then we should be quite supportive.

In the public sector, the ACT government will be responsible to ensure that the safety management procedures in place now are adequate and are continually quality assurance and quality control checked and brought up to date. I would hope that the ACT government is able to continue to review those procedures.

Last year, before I began campaigning for a seat in this place, I undertook a number of consultancy tasks as a safety management consultant working for various agencies. I was quite impressed that some elements of the public sector and some elements of the private sector were taking very seriously the need to ensure that their workers were working in

safe environments. So I believe there is a fairly positive attitude from a good range of management.

However, we found that in ACT enterprises there are confusions about what those standards should be and whether the OH&S systems in place are being properly implemented. So there is a role and a need for government agencies to be continually quality assurance checking and providing advice to agencies to ensure that they have best practices in place.

I move to Ms Gallagher's point about industrial manslaughter. This is a very interesting concept we would like to look at. There may be some sense in this concept. We would like to see the detail of what that concept means. We would be keen to review it as well. But if we are going to enact industrial manslaughter as a weapon to bring people to book for crimes they may have committed, we will also have an obligation to ensure that we provide the best practices, we provide the best advice to all businesses and that we ensure that they have in place the systems against which we might then prosecute a crime. It cuts both ways. We will have a look at that.

Management takes this particularly seriously. You cannot rule out risk. Risk will happen. Many emergency personnel in the ACT put themselves in the line of death risk. It is pleasing to say that most of our emergency organisations have very good emergency management and safety management practices in place. I have a question, though, about the compensation that ACT policemen, firemen and ambulancemen—

**Mr Corbell:** And women.

**MR PRATT:** Men and women, yes. Thank you very much Mr Corbell. Compensation for the deaths of these men/women in the line of duty is a question which still hangs in the air, as far as I am concerned.

We await detail of the industrial manslaughter concept. We will have a look at that. We would also like to review what OH&S and emergency management procedures ACT government agencies have in place. The two elements must run side by side. To that end, we are happy to support the thrust of this motion.

**MS DUNDAS (10.56):** I welcome debate on occupational health and safety issues. Although we have come a long way in making workplaces safer, Australians are still dying due to injuries caused at work. Improvements in workplace safety have come about through joint recognition by employers and employees and their unions that everyone in the workplace is responsible for creating and maintaining a safe environment and safe systems of work.

Although most employers do take their occupational health and safety responsibilities quite seriously, there are a few who see OH&S laws as more of a nuisance than a necessity. Some irresponsible employers knowingly create or oversee systems of work that place employees at risk of death, but we do not know whether the best way of bringing these rogue employers into line is by increasing penalties, increasing random workplace inspections, improving employer education or some other measure. It is very important that we have this debate to flesh out these issues.

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In other jurisdictions, including Victoria and Queensland, the debate about industrial manslaughter laws has led to a stand-off, an unfortunate stand-off, between unions and employer groups, with Labor traditionally supporting the unions and the Liberals traditionally supporting employer groups. This has stifled genuine debate about whether such legislation will have a beneficial outcome. I hope we do not travel down this path in the ACT.

We all believe that a death at work is a tragedy. We must all have this common ground from which to start this debate. Anthony Carrick was a young Victorian man who died on his first day of work when a concrete panel fell on him at a warehouse workplace. I do not think anyone here would allow a death like Anthony's to occur in the ACT, especially if we believe that we could do something to prevent it. I want to see honest appraisal of whether legislation that makes reckless or grossly negligent management a crime is likely to result in a lower number of workplace deaths.

It is for these reasons that I support this motion calling for the introduction of a bill on industrial manslaughter, and I look forward to a measured consideration of the arguments for and against the proposal, remembering always that people are the key. All people—workers, employers, employees and their representatives—are what we should be focusing on, not some petty divide such as unions versus employer groups or proletariat versus bourgeoisie. We should be focusing on people and how we as an Assembly can help and, if necessary, protect the workers of the ACT.

**MR CORBELL** (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (10.58): Mr Speaker, I am very pleased that Ms Gallagher has moved this motion this morning. Death and injury in the workplace are of serious concern to this government. Ms Gallagher's motion reinforces this government's commitment to introduce legislation to provide for the charge of industrial manslaughter. Our intention is to do that later this year.

Ms Gallagher's motion outlines two important elements. The first relates to the rate of industrial deaths in the OECD and Australia's poor standing in that regard. The second deals with the specific issue of industrial manslaughter legislation.

On the issue of industrial deaths in the OECD, the International Labour Organisation, the ILO, calculates that worldwide there are 1.1 million workplace deaths per year. When you compare that with other leading causes of death worldwide, it is the number one killer. Workplace deaths exceed the average annual rate of deaths from road accidents (990,000), war (502,000), violence (563,000) and HIV/AIDS (312,000). It is probably exceeded only by deaths from significant diseases.

Approximately one quarter of the 1.1 million workplace deaths per year result from an exposure to hazardous substances, substances which cause disabling illnesses such as cancer, cardiovascular disease, respiratory disease and renal and nervous system disorder and failure.

Deaths and injuries continue to take a particularly heavy toll on developing countries where large numbers of workers are concentrated in primary and extraction activities such as agriculture, logging, fishing and mining. These continue to be some of the world's most hazardous industries.

Unfortunately, in Australia fatalities are reported as those resulting from traumatic injuries, and they exclude journey claims and fatalities that result from disease. At this stage Australian data on death caused by occupation diseases is considered unreliable for reporting purposes.

Research showing rates of workplace fatality per 100,000 employees and self-employed people from Great Britain, Europe, the USA, New Zealand and Australia show Australia as having one of the highest rates of workplace fatalities in the world. Even after benchmarking for differences between the various countries for data collection methodologies, Australia has a consistently higher rate of death per 100,000 workers than do comparable countries. That does not include deaths resulting from journeys to or from work.

The rate of workplace death in Australia is clearly unacceptable. In 1999-2000, the last year for which data is available, compensation fatalities numbered 206 in Australia. This was a very minor decrease over previous statistics from 1998-99, at 208, but was down on 1997-98, when 237 Australians failed to return home from work.

In 1999-2000 the ACT contributed three private sector deaths and one public sector death to the national death toll. But I am pleased to advise members of some other statistics which have just been made available to me from ACT WorkCover. They include deaths to workers travelling to and from work as well as deaths at the workplace. For the ACT, from 1989 to 2001, there were 33 deaths—27 in the private sector and six in the public sector. It is interesting to note how these deaths occurred. Ten resulted from motor vehicle accidents on journeys to and from work or during work periods, five were from electrocution, four were from crush or machinery injuries and three were from plane crashes.

In relation to motor vehicle accidents, it is difficult to distinguish between journey claims, where the fatalities occurred while workers were travelling to or from work, and incidences where the vehicle was the employee's normal workplace and the employee was driving a vehicle as part of their normal employment.

Of the remaining fatalities, most concern for workplace safety is in relation to deaths caused by electrocution and incidents involving machinery.

The four industries that recorded the most fatalities during the period in the ACT were the construction industry, with six deaths; the retail industry, with three deaths; the transport industry, with three deaths; and the education sector, with three deaths.

Without being melodramatic, it is sobering to outline a number of these deaths in generality only. For example, in 1991 a male was crushed by a granite slab whilst working in the construction industry. In the same year another male worker was crushed beneath a scraper, again in the construction industry. In 1992 another person was crushed by a machine, again in the construction industry. In 1993 an individual was electrocuted in the manufacturing industry. In 1997 another person was crushed by a roller in the construction industry, in the construction of roads and bridges. In 1995 a woman died as a result of head trauma from a fall in the clerical industry. That is the sobering reality of deaths in the ACT, in both the private and the public sectors.

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The government and I as Minister for Industrial Relations find it unacceptable that at the start of the 21st century some of our fellow citizens will not return home to their families, simply because they went to work and were killed in the workplace.

In recognition of the responsibility that we as the government have to do all we can to eliminate the risk of workplace death in the ACT, I have directed the Occupational Health and Safety Council to advise me on the introduction of industrial manslaughter as a crime in the ACT. The creation of the offence of industrial manslaughter and its inclusion in the Crimes Act are a key election commitment for the government and we believe will focus attention on the need for employers to comply with occupational health and safety legislation.

The government will bring forward legislation amending the Crimes Act 1900 to incorporate a new offence of industrial manslaughter. The focus will be to establish the culpability of an individual in the event of fatalities occurring as a result of an employer's negligence. This government is committed to implementing changes that will compel all parties involved in the workplace to focus on injury prevention and injury management.

The introduction of industrial manslaughter will coincide with a wide-ranging review of the compliance model within the Occupational Health and Safety Act, another key election commitment of the government. The compliance model will take into consideration the jurisdictional roles and responsibilities of ACT WorkCover under the Occupational Health and Safety Act and the Australian Federal Police under the Crimes Act 1900. The amending legislation will also provide specific and clearly definable circumstances in which an investigation of this nature will be undertaken.

I have given specific direction to the Occupational Health and Safety Council to research and prepare materials in regard to the implementation of this extremely significant issue for the labour movement and for all people engaged in workplaces in Canberra. Our intent is to thoroughly investigate this matter and to provide effective and efficient legislation to deal with this very significant occupational health and safety issue.

I am pleased to confirm today, as a result of Ms Gallagher's motion, the government's intention to bring forward amending legislation during this year's spring sitting. I commend the motion to the Assembly.

**MS TUCKER (11.09):** Thank you to Ms Gallagher for raising this important matter in the Assembly. I am pleased to hear Mr Corbell's statements regarding the Labor government's intentions in this area. It is unacceptable that Australia has such a high rate of industrial deaths. It is much higher than the rate in the US and even higher than the rate in the United Kingdom. I understand that there are slight differences in how fatalities are measured and what causes fatalities. As I understand it, Australia takes into account occupational death resulting from disease such as asbestosis. So there are issues of methodology in comparisons. However, it is still absolutely clear that too many people are dying as a result of a workplace incident.

The Greens' occupational health and safety policy puts the health and wellbeing of employees first. Clearly, if Australia is trailing most of the OECD countries on deaths, and presumably therefore on physical injury as well, then it is something we need to address.

We recently passed legislation for a new workers compensation scheme in the ACT. It is a groundbreaking scheme, in that it both allows common law action and includes a table of maims in order to simplify the compensation process. It also sees a shift towards a level of awards that would allow badly injured workers and their families a reasonable standard of living after the event.

The two key drivers of this new scheme are found in occupational health and safety, and rehabilitation and return to the work force. The rehabilitation regime puts considerable pressure on injured employees to agree to a rehabilitation plan to manage the injury and where possible to go back to work.

There is always more room to encourage safety at the workplace, and the discussion last year around workers compensation for group training and later in regard to the new ACT scheme identified OH&S as an area for real improvement.

It is important to point out that industrial manslaughter legislation is not about locking up anyone vaguely responsible for an accidental death. The legislation at present before the Victorian parliament targets only gross negligence. If passed, it would amend the Crimes Act and in the first instance result in corporate manslaughter charges against the business responsible, then against the senior officer responsible, not just a workplace safety officer or area manager.

The same requirements of criminal law such as proof beyond reasonable doubt would apply. Penalties would be up to five years in jail for the senior officer, and the company would take any action the court directed, such as apologies, change of workplace organisation and so on.

At present, in cases of gross negligence a company can avoid fines by winding up, and the senior officers can move on to another business. In this context, Allan Fels of the ACCC has been raising the issue of jail terms for other corporate misconduct. He argues that fines will not necessarily affect the behaviour of people at the top of organisations.

The Greens are pleased to see the government commit to progressing this area. It is, as people have said, an area that has a real impact on people in the ACT but also across Australia. We need to be as alarmed about the high rate of industrial deaths as we are alarmed about deaths on the road and deaths due to other causes which we see as avoidable.

**MS GALLAGHER** (11.13), in reply: I thank members for their comments and support on this issue. I would like to reiterate a number of points that must be at the forefront of members' minds. There is a clear need for law reform in this area. As I have mentioned, Australia has unacceptably high levels of workplace deaths as things stand.

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The Victorian Trades Hall Council records that, for every 70 workers killed by their workplace in Australia, 53 die in the US and 14 die in the UK. These statistics by themselves are shocking.

Law reform is progressing in other jurisdictions. The ACT must be in line. With the comments of Mr Corbell, we will be in line with these reforms and we will also have the opportunity to lead this debate.

One preventable death on a work site is one too many. Industrial manslaughter legislation will address only those employers who flout the law and endanger employees.

Question resolved in the affirmative.

## **Inquiries Amendment Bill 2002**

Debate resumed from 20 February 2002, on motion by **Mr Humphries**:

That this bill be agreed to in principle.

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

## **Earth Charter**

**MS TUCKER** (11.15): I move:

That this Assembly:

- (1) endorses the Earth Charter; and
- (2) calls on the Government to adopt the Earth Charter as a framework of principles to help guide the work of its Office of Sustainability.

My motion today is, in effect, a continuation of a debate that started on 29 August 2000 in this Assembly. On that day the then Minister for Urban Services, Mr Smyth, presented the Earth Charter to the Assembly. He pointed out that the concept of an earth charter was first discussed at the Rio Earth Summit in 1992. The need was felt for a declaration of fundamental principles for building a just, sustainable and peaceful global society for the 21st century with the aim of giving all people a sense of global interdependence and shared responsibility for the wellbeing of the human family and the rest of the living world.

The drafting of the Earth Charter was taken on by a group of non-government organisations and individuals, such as Maurice Strong, the secretary-general of the Earth Summit, and the former Russian President Mikhail Gorbachev, with the initial financial support of the Dutch government. They established the Earth Charter Commission in 1997 to progress the initiative.

An international drafting committee was established, which began a worldwide consultation process on the text of the charter, including consultations in Canberra organised by Dr Brendan Mackie from the ANU, who has taken a major role in promoting the Earth Charter in Australia. Mr Humphries, Mr Smyth, Mr Corbell and

I attended at least one of the three consultations held in Canberra in 1999, which were sponsored by the previous government. At the last forum, Mr Smyth agreed to present the Earth Charter to the Assembly when finalised.

The Earth Charter Commission approved the final version of the charter in March 2000. The next phase of the initiative is to have the charter endorsed by the United Nations as part of the Rio+10 Earth Summit, which is happening in late August in Johannesburg, South Africa. However, the Earth Charter can also be used as a stand-alone document in educational activities for developing an understanding of the critical challenges currently facing humanity, and to provide a values framework for guiding the strategic planning and day-to-day operations of governments, businesses and other community organisations.

The Earth Charter has a preamble, 16 main principles and supporting objectives. The principles are simply stated, but convey great meaning. They are:

1. Respect Earth and life in all its diversity.
2. Care for the community of life with understanding, compassion, and love.
3. Build democratic societies that are just, participatory, sustainable, and peaceful.
4. Secure Earth's bounty and beauty for present and future generations.
5. Protect and restore the integrity of Earth's ecological systems, with special concern for biological diversity and the natural processes that sustain life.
6. Prevent harm as the best method of environmental protection and, when knowledge is limited, apply a precautionary approach.
7. Adopt patterns of production, consumption, and reproduction that safeguard Earth's regenerative capacities, human rights, and community wellbeing.
8. Advance the study of ecological sustainability and promote the open exchange and wide application of the knowledge acquired.
9. Eradicate poverty as an ethical, social, and environmental imperative.
10. Ensure that economic activities and institutions at all levels promote human development in an equitable and sustainable manner.
11. Affirm gender equality and equity as prerequisites to sustainable development and ensure universal access to education, health care and economic opportunity.
12. Uphold the right of all, without discrimination, to a natural and social environment supportive of human dignity, bodily health and spiritual wellbeing, with special attention to the rights of indigenous peoples and minorities.
13. Strengthen democratic institutions at all levels and provide transparency and accountability in governance, inclusive participation in decision making, and access to justice.
14. Integrate into formal education and life-long learning the knowledge, values, and skills needed for a sustainable way of life.
15. Treat all living beings with respect and consideration.
16. Promote a culture of tolerance, nonviolence, and peace.

It would be hard to find a more visionary and comprehensive set of principles.

The Earth Charter Commission is encouraging organisations to endorse the Earth Charter to signify a commitment to the spirit and aims of the document and a commitment to work for the implementation of the values and principles of the Earth Charter.

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Thousands of national and international organisations, including local governments, have already endorsed the charter. This includes the United States Conference of Mayors, comprising mayors of some 2,000 cities. The Costa Rican government has also endorsed it. The Earth Charter has no legal status, so endorsement of the charter is not committing the government to take particular action. But endorsement is making a positive statement that we think these principles have significance and deserve to be advanced through international forums.

The Earth Charter Commission have produced some words about what they mean by endorsement. Those words are:

- Firstly, recognise the Earth Charter as an exceptionally valuable civil society contribution to the development of a shared vision of fundamental values and the creation of global partnership for sustainable development.
- Secondly, study the integrated ethical framework set forth in the Earth Charter and work to incorporate its spirit and aims into national policies and practices, and assess how the Earth Charter principles can be integrated into new international environmental and sustainable development law and policy.
- Thirdly, use the Earth Charter to promote education and dialogue on global interdependence, global ethics and the principles of a sustainable way of living, leading to cooperative action for a better world.

The Labor government has already committed itself to establishing an office of sustainability, but in discussions with ministers and officials about the role of this office it has struck me that there is still considerable uncertainty about how the concept of sustainability will be applied by the government to its everyday work. It seems to me that the Earth Charter can provide a valuable framework of principles to guide the Office of Sustainability.

I am not saying that the Earth Charter should be the only document the office should work with. For example, the 1992 national strategy for ESD contains many useful principles and objectives. There are also other United Nations documents of relevance, such as the Rio Declaration and Agenda 21 adopted at the 1992 Earth Summit.

A lot of work has gone into the development of the Earth Charter. We have had a part in that development and it should not just be consigned to the bookshelf. It is meant to be a living document that will be of assistance to groups and individuals in many circumstances.

Mr Smyth in his original speech on the Earth Charter encouraged the Assembly to accept the long-term objectives of the charter and embrace its principles in our daily lives. My motion gives the Assembly the opportunity to take a small but concrete step towards implementing these principles within the ACT.

**MR STANHOPE** (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women) (11.23): Mr Speaker, I thank Ms Tucker for bringing the Earth Charter to the attention of the Assembly. The government is committed to Canberra becoming a sustainable society. This is a special year for the

sustainability agenda. It is 10 years since the Rio de Janeiro United Nations Conference on Environment Development—10 years since the international community adopted Agenda 21, an unprecedented global plan of action for sustainable development.

The Earth Charter was one of a range of initiatives that emerged from the conference in Rio 10 years ago. The principles of the Earth Charter, whilst very broad and general, could be assumed to underpin the actions of a responsible government, and there is clearly synergy between the policies and objectives of this government and the principles of the Earth Charter.

In August this year the United Nations will host in Johannesburg the World Summit on Sustainable Development. Leaders from government, industry and non-governmental organisations from all over the world will unite in Johannesburg to review progress since Rio, re-affirm their commitment to sustainability, and identify quantifiable targets to better implement Agenda 21.

The world summit will focus the world's attention and it will direct action towards meeting difficult challenges, including improving people's lives and conserving our natural resources in a world that is growing in population, with ever increasing demands for food, water, shelter, sanitation, energy, health services and economic security. This government recognises that achieving a sustainable society is an enormous challenge, even in a small jurisdiction like the ACT, but we have made a commitment to endeavour to meet that challenge.

I note that the Earth Charter has been brought to the attention of the Assembly twice previously, once by Ms Tucker in February 1999 and then by Mr Brendan Smyth in August 2000. Clearly, there is general support for the broad principles embodied in the Earth Charter.

The establishment of the Office of Sustainability is a key initiative by this government in achieving a thriving and sustainable Canberra—that is, a city that enjoys social equality, environmental quality and economic prosperity. A key initial task of the office has been to look to other national and international jurisdictions, agencies and non-governmental organisations to develop an understanding of progress that has been made in the area of sustainability.

Earth Charter Australia is one such organisation and the Earth Charter document is one of a range that will inform the work of the office and the development of an overarching strategy for achieving sustainability for the ACT. The Bellagio principles and those contained in the Intergovernmental Agreement on the Environment, the Rio Declaration and the Australian National Strategy for Ecologically Sustainable Development will also be useful in this context.

The Office of Sustainability will be engaging the Canberra community in facilitating the development of the sustainability strategy. It is envisaged this process will result in the development of a strategy which is unique to the ACT and its circumstances. Whilst the establishment of the Office of Sustainability is a key initiative in progressing sustainability in Canberra, this government has made a range of other commitments that are relevant in achieving a sustainable society. These, too, are founded on fundamental benefits and principles similar to those articulated in the Earth Charter.

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The Earth Charter advocates respect for the community of life, ecological integrity, social and economic justice and democracy, non-violence and peace. The development of a social plan, an economic white paper, a bill of rights and a spatial plan represent a few of the integrated initiatives this government has promised to deliver—initiatives that are part of this government's commitment to achieving a sustainable way of life.

As I have already stated, I consider the principles embodied in the Earth Charter to generally underpin the actions of a responsible government and therefore the work of the office and the advancement of the sustainability agenda of this government will generally be in accord with the Earth Charter.

This government has a fundamental belief in the egalitarianism of our community, in respecting individuals human rights and in achieving economic, social and environmental sustainability. This government has already made clear and tangible commitments in this regard and will continue to operate in accord with, but not limited to, principles like those contained in the Earth Charter.

Whilst the Earth Charter will be one of a range of documents that guide the work of the Office of Sustainability, the principles in the charter are broad and general. In addition, this government feels it is important that the principles that will guide the work of the office are developed in collaboration with the ACT community and suit the ACT's unique social, environmental and economic circumstances.

This government supports the principles embodied in the Earth Charter and Ms Tucker's motion.

**MS DUNDAS** (11.28): Mr Speaker, I also rise today to add my support to the motion moved by Ms Tucker. While the motion signifies the continuing support of the Assembly for the development of the Earth Charter, it also states that we should commit ourselves to work towards the implementation of the charter, cooperating with others to do so.

The Earth Charter is an important statement of principles which are entirely consistent with the objectives that the Australian Democrats have worked for over the last 25 years. The Earth Charter is not just a environmental document, although environmental sustainability is a central theme throughout. It is also about the responsibilities that we have to both the biosphere and to each other. The charter encompasses important concepts such as peace, the eradication of poverty, social agenda and racial equality, the elimination of weapons of mass destruction, participatory democracy, the precautionary principle and the elimination of corruption. It is a valuable document that states in clear and simple language the values of principles that will hopefully lead to a healthy, equitable and sustainable planet.

I note that the Office of Sustainability continues to develop within the Chief Minister's Department and I am happy to commend and support this initiative. The office gives us an opportunity not only to recognise the important principles of this Earth Charter but to begin using them in the governance of this territory. I believe that the work of the office could only be improved by the adoption of the charter as a framework and a guide. I hope that the Assembly supports the motion so that we can make this a reality.

**MRS DUNNE** (11.29): I am proud to rise today to support Ms Tucker's motion on the endorsement of the Earth Charter. The Earth Charter, as Ms Tucker has said, is a document of many iterations that has evolved over 10 years, with the endorsement of a range of luminaries such as Maurice Strong and Mikhail Gorbachev, and has come under the auspices of the Earth Council.

The great thing about the Earth Charter is the way that it appeals to such a broad brush of the community. It is about conservation and sustainable living, but it is not about sustainable living in the arid environmental sense. It is about the whole way we live our lives. It has a spiritual vision about it which has garnered support from many people from many different religious backgrounds and traditions. The Earth Charter is a broad brush document that gives us a wide set of guidelines on how we might better live our lives in a whole range of areas, across everything that we do in our everyday life and the way that we interact in a local community and as a global community.

I note that the aim of the Earth Charter is to obtain adoption by the UN as part of the Rio+10 Conference in Johannesburg in September this year. I am not entirely sanguine about the prospects of this happening because I think the language and the breadth of this document go beyond the ken of UN organisations. I think that UN organisations tend to be bureaucratic and stultified and bowed down with bureaucratic language, and this spiritual flair to the language is beyond the ken of such an organisation.

I am particularly chuffed to see the enormous emphasis in this document on the integrity and the respect for life in all its forms. The abiding principle is a firm faith in the inherent dignity of all human beings. Throughout the document there is a strong sense that human life and the life of all things on the planet should be respected and uplifted. In many respects the Earth Charter does not go far enough and this is one of the places where I would like to see more done—that perhaps this document in its next iteration could affirm its faith in the dignity of all human life from its conception to its natural end.

It is with great joy that I support the general intent of the motion. As Ms Tucker said, this is not black letter law, this is not soft law even. While we might differ at the margins as to where the emphasis might be, it is a set of guiding principles that all of us should be able to support.

I would also like to move the amendment circulated in my name. It is a very brief amendment that addresses the issue that some of the aspects of the Earth Charter have impacts on Australia's national and international affairs that are beyond the bailiwick of the ACT government, and there might be some elements of the Earth Charter that cannot be logically implemented within the ACT jurisdiction. I move:

In paragraph (2) after "adopt" insert "relevant parts of".

**MR WOOD** (Minister for Urban Services and Minister for the Arts) (11.33): Mr Speaker, I will speak directly to the amendment moved by Mrs Dunne, which the government will not be supporting. We understand exactly where you are coming from and we agree, but I think in informal discussions around this chamber it is understood that these are guiding principles. They are fine principles, but it is not up to this

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Assembly, nor is it sometimes necessarily desirable, to implement them in every last detail.

I think Ms Tucker acknowledges that, because in her motion, which we support, she “calls on the government to adopt the Earth Charter as a framework of principles to help guide the work of its Office of Sustainability”. That is what it is all about—to help guide the Office of Sustainability. I have no doubt the office will look most seriously at these important principles and will be very strongly guided by them, and that is the way it should be. That is why we are supporting the motion as it stands. We will not be supporting the amendment because we understand that Ms Tucker’s motion is concerned with the guiding principles and not every fine detail of the Earth Charter.

**MR SMYTH (11.35):** Mr Speaker, I am delighted to rise and speak on the importance of the Earth Charter because I had a small hand in getting it to the stage that we are at today. I have to admit that the Earth Charter was originally brought to my attention in December 1999 by Ms Tucker. I believe that the first Earth Charter conference in Australia was to be held in Adelaide. However, the South Australian government withdrew their support at the last moment, literally leaving the Earth Charter high and dry.

We as a government thought that this was very important, given our record on the environment and our commitment to the environment. So in discussions with Ms Tucker and Brendan Mackie from the ANU, who has been fostering this process around the country, it was decided that we would hold the inaugural Earth Charter conference of Australia here in Canberra. That happened in early 2000. It was absolutely delightful to have Sir William Deane, as Governor-General, come and open the conference. Gary Humphries spoke on behalf of the government, and later on in the conference I had the honour of giving an address.

There has been a lot of work done since then. The charter that we started with has changed and I think in the main it does express the sentiments of the community. But, as has been pointed out, it is a guide only. It is not to become soft law but these are things that we should aspire to.

As Mrs Dunne has indicated in her amendment, we have some small concerns that some of the areas are not relevant to the ACT, particularly the Office of Sustainability. With that in mind, we have moved our amendment to make sure that the relevant parts of the Earth Charter that pertain to the ACT are used in guiding the work of the Office of Sustainability.

We have moved on—we have moved on 10 years from Rio. Given what happened in Rio 10 years ago, it would be interesting to see the world adopt such a charter in Johannesburg this year. It will be interesting to see what other jurisdictions come forward and put their hands up. There are a growing number of jurisdictions around the world that are doing that. I think most people of reasonable mind who looked at the 16 guiding principles, under which there are sub-principles, could say, “Yes, I agree with that.” So with the one small caveat that we have set out in our amendment, the opposition will be supporting the motion and endorsing the Earth Charter.

Amendment negatived.

**MS TUCKER** (11.38): I thank members for their support. The question of the applicability of the whole document to the jurisdiction of the ACT seems to be of concern to some members of the Liberal Party. I think this concern has been addressed correctly by speakers in this debate. This is an aspirational document, and obviously there is a local application. Promoting a culture of tolerance, non-violence and peace, for example, has international ramifications, but it also has absolutely local ramifications and hopefully we will see in the ACT the promotion of a culture of tolerance, non-violence and peace. We have certainly tried to do that over the years in Canberra with various forms of legislation and so on. I think that to a degree all the sections of the Earth Charter are applicable to the ACT in terms of their actual essence.

I thank members for their support. In some ways, I think it is quite historic that we as an Assembly will accept this motion. I know that this debate is being repeated around the world in different forums. It is a hopeful sign that internationally discussions based on these principles are being held, because God knows we need to be progressing these sorts of principles in the world that we are currently living in.

Question resolved in the affirmative.

## **Solar hot water rebate scheme**

**MRS DUNNE** (11.40): I move:

That this Assembly condemns the ACT Government for the introduction of its regressive Solar Hot Water Rebate Scheme and calls on the government to:

- (1) cease its discrimination against people who rent, particularly those who rent through ACT Housing;
- (2) lead by example and demonstrate its commitment to the use of renewable energy and the reduction of greenhouse gas emissions by:
  - (a) immediately commencing the installation of solar hot water systems on all suitable, new developments constructed by or on behalf of ACT Housing; and
  - (b) initiating a program whereby all replacement hot water systems on suitable ACT Housing dwellings are solar systems.

I rise today to propose this motion as an environmental issue which will also bring unalloyed benefits to the tenants of ACT Housing.

As a society our consumption of energy is increasing at a rapid rate. Along with this comes a rapid increase in emissions of greenhouse gases from the use of fossil fuels. As well as looking at new means of generating power—and in this place the Planning and Environment Committee has a reference on renewable energy—it is imperative that we look at ways of conserving energy for the long-term sustainability of our environment. One way of conserving energy is by taking advantage of the technology available in solar power and specifically in solar hot water systems.

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During the 2001 election campaign Labor announced that it would introduce a rebate scheme for solar hot water systems, which they introduced on 17 April following the passage of the appropriation bill. You might say, "Well done, stout fellow," but I would not. At the time of Labor's launch of the scheme I was critical of it as a piece of middle-class welfare.

The solar hot water scheme as proposed by the ALP is one element in addressing greenhouse emissions and cutting energy consumption, but it is only a small piece in the jigsaw. This is a small scheme which benefits only a few moderately well-off people, people who would probably install solar hot water systems anyhow. It is completely lacking in vision, and vision is a thing that this frontbench does not have in very great measure.

As evidence of that lack of vision, I would point to the performance of the minister for energy during the debate on the reference to the Planning and Environment Committee on renewable energy. In that debate Mr Quinlan, posing as the minister for energy, opposed the reference. Mr Quinlan sniped from the sidelines, attempting to stymie the inquiry. He brought an accountant's approach to a discussion of Canberra's long-term renewable energy needs and energy efficiency.

Mr Quinlan stood up for vested interests and those who have an interest in the present marketing arrangements. He made it perfectly clear that if our inquiry highlighted problems in the national energy market he was not going to do anything about them. He said:

If the committee comes up with some findings here, I am sure that, as the minister for energy or representing that sector, I will be directed or something to take it to the council ... I can say, "G'day, ladies and gentlemen. I've got this lot, but you will have to remember that I am from a minority government" ...

How is that that for arrogance?

Today I have brought forward this motion so that this Assembly can commit to a program to eventually replace the old inefficient hot water systems in government housing and make solar hot water systems available to people on low incomes who rent in the private rental market.

But fear not, Mr Quinlan. It will not be done at once. It would be hard to do at once, but I do expect you to make a start today. That start is to commit to installing solar hot water systems on all new dwellings built by ACT Housing as well as replacing old systems, as they wear out, with solar systems.

The aim of this motion is to provide both an environmental and a social benefit. The environmental benefit is clear. The installation of solar hot water systems will reduce energy consumption and greenhouse gases. It will look at improving the energy efficiency rating of the government housing stock.

The Canberra Liberals have been proud to champion such initiatives in the past. We embraced the energy efficiency rating program introduced by Mr Bill Wood when he was environment minister in 1994. It initiated the greenhouse strategy for the ACT. We

support the conservation council's targets of 80 per cent of houses to have solar hot water systems by 2015. We strongly supported the recent reference to the Planning and Environment Committee on renewable energy.

While we are looking at energy efficiency, I would like to refer members to a report published in April this year by Energy Partners which shows that an average family of four that currently use an off-peak electric-boosted hot water system, by converting to a solar hot water system, would save something like 13,294 megajoules per year and would cut emissions of greenhouse gasses, carbon dioxide in particular, from 4.8 tonnes for electric hot water to 1.2 tonnes for electric-boosted solar hot water. In addition, if they went to gas-boosted hot water, those emissions would drop to about 0.5 of a tonne.

In addition to the environmental benefits, installing a solar hot water system on dwellings owned by ACT Housing would have an undoubted social benefit by drastically reducing energy bills for society's most socially and economically disadvantaged. We know that hot water heating accounts for 27 per cent of our domestic energy consumption. So there is scope for big savings for people installing solar hot water systems.

Energy Partners reports that the average family of four would save \$155 a year by changing from electric off-peak to electric-boosted solar. When you compare gas-boosted solar to electric off-peak, the savings stretch to \$233 a year.

I would like to add a personal note. For the past 10 years my family has lived in a house with non-boosted solar hot water. We have never run out of hot water except when we have had a houseful of guests. In recent times, because of a household fire, we have been renting a house that has electric off-peak hot water. We have found—and we are not an average family of four but an above-average family of seven—that our bills have increased, when we take everything else into account, by \$100 per billing period, or \$600 over a year.

The figures are impressive. The installation of a hot water systems has a many-faceted advantage to people who install one on their house. It reduces their energy consumption, which is good for the community. It reduces greenhouse emissions, which is good for the global community. We have just endorsed the earth charter. In addition, it reduces the cost of running your household by \$100, \$155, \$230 or in my case \$600 a year. These are unalloyed benefits.

I am asking the Assembly to endorse the concept that government housing tenants should benefit from the largesse of the government when it comes to solar hot water systems. These people, who are most economically disadvantaged in the community, do not have the capacity to shell out \$3,000 or so on a solar hot water system to reap the benefits. It is our responsibility to help them to share in the benefits of the community.

**MR WOOD** (Minister for Urban Services and Minister for the Arts) (11.49): The government accepts all the sentiments expressed by Mrs Dunne about the importance of solar hot water systems. Putting aside the remarks made about you, Mr Quinlan, we agree with all those sentiments.

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We certainly agree with Ms Tucker's proposed amendment congratulating the government for its absolute vision, which is something Mrs Dunne said we lacked.

On a related aspect, the current opposition had a different view when in government. I recall the Liberal government introducing affordable measures concerning water tanks. But there was not any proposal to supply water tanks to every property owned by ACT Housing. That is somewhat different, but it is certainly a matter relating to the conservation of our natural resources.

It is now convenient to criticise this government because this measure was not extended to all ACT government housing. Mrs Dunne, your view is absolutely correct. If we could have a solar hot water system in every one of our properties, it would be of great benefit to the people in those properties. I do not dispute that at all. It would be wonderful. The problem I have is that as housing minister it is very difficult to keep up with routine maintenance and it is difficult to find a roof for every head that needs one. We come from a background of many years of chronic underfunding of public housing.

I would dearly like to be in a position to install solar heating in every government house. It would be wonderful if we could do it. I certainly acknowledge here today that in principle we accept that every government house should have solar heating. Mrs Dunne calls on us to do that. In practice we will set about achieving that, amongst all the overwhelming demands on funding in the public housing sector. I will come back to that.

I am not sure who started the program, but we all agreed and all government houses in the ACT now have insulation. That measure is in tune with what you are saying. I do not know whether it was a Labor government or a Liberal government that started that program. But that program certainly acknowledged the importance of any inefficiency in government houses.

The major claim Mrs Dunne makes is that solar hot water would reduce greenhouse emissions. Like everybody else in this place, we are committed to pursuing greenhouse gas reductions and moves towards sustainability. We supported the current greenhouse strategy, which the former government introduced, and we are now working towards the Office of Sustainability.

We won funding for the new hot water rebate scheme by coming up with an innovative way of reducing greenhouse gases. It is not our funding that provides for this. I will check that for you, but that is my memory of the material I received at the time.

It is open to all home owners in Canberra to get a new hot water system. As part of the routine, we are beginning to review the greenhouse strategy, so you can look forward to making your contributions to a review of the strategy.

There is an energy advisory service available to all people in Canberra. I think it has been underutilised. It is a free service that all people can use.

Architects designing single or multiple dwellings for ACT Housing are encouraged to investigate innovative, cost-effective and energy efficient responses to particular client needs and accommodation type. In the past, that has been mostly in respect of homes

built under the older persons accommodation program, which the former government did quite well with.

I would like ACT Housing once again to have the capacity to undertake all the planning and all the construction of its houses, but I think that is a little way off. We will follow with interest, and support, what Mr Corbell is doing in relation to land development. After that has all been accommodated, we might see whether we can get back into the design business.

Years ago when I was minister for the environment and Mr Connolly was minister for housing, we had several programs for energy efficient homes—one at Lanyon and one at Gungahlin. They were wonderfully designed government houses. I do not particularly remember them having solar heating—I assume they had it—but they were solar passive in their total design. We would like to get back to that situation. Unfortunately, we have inherited a system under which ACT Housing, other than for older persons units, has to go out and spot purchase. We would like to get back into the design area.

It is not always the most efficient thing to retrofit a house with solar heating. That is one of the anxieties I have about this motion, which calls on us to do all government houses automatically. Sometimes it is not the most cost-effective thing to do. You would not replace an existing useable system. I can certainly give an undertaking that as systems need replacing in ACT government accommodation we will give first priority to solar hot water systems.

To sum up, in principle, we agree with the contention in the motion. In practice, there are overwhelming demands on government housing. I can say to you that in the circumstances we will do the best possible.

**MS TUCKER (11.58):** I seek leave to move two amendments together.

Leave granted.

**MS TUCKER:** I move:

- (1) Omit “condemns” and substitute “congratulates”.
- (2) Omit “regressive”.

I support the basic intent of Mrs Dunne’s motion. I think it is an important matter she has brought forward. My amendments deal with the tone of the motion. I do not want to condemn a government for introducing a solar hot water rebate scheme. I have been calling for similar things for a number of years in this place, and this is an important step.

To a degree, the scheme is regressive, because you have to own a house to be part of the scheme, but it is about trying to help people purchase a solar hot water system. It is not entirely fair to condemn the scheme and say it is regressive and therefore is not acceptable. We want to encourage people in any way we possibly can to look at this new technology and think about the longer term question of capital cost versus ongoing running costs. The problem for anybody is finding the money up front to purchase this money-saving technology that can lessen the load on the environment through reducing greenhouse emissions. There will be a motion on that from Ms Dundas after this debate.

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We want to reduce greenhouse emissions, so we are very supportive of this kind of technology and enabling people to use it.

The Liberals in government did not enforce the energy ratings scheme legislation for rental accommodation. The legislation gave the government the capacity to ensure that the energy rating for a rental house was given to prospective tenants. Let us look at what we all seem to be agreeing we want to achieve instead condemning the government for what the Liberal government should have done. The Liberals' record was not great. They could have done other things with the energy ratings scheme. As Mr Wood pointed out, the water tank scheme was a similar scheme adopted by that government.

I do not want to go into everything the last government did not do right. I am delighted that Mrs Dunne is taking a proactive line in this area. I support the intent of what she has in this motion, apart from the amendments I have moved.

The Assembly needs to think about how we can better facilitate greater use of alternative technology or renewable technology such as solar hot water systems. The Leichhardt City Council have made a solar hot water heater mandatory for new houses. That council has taken quite a radical position. There is cost at the beginning, but it will save money in the long term.

In the Kingston foreshore development we could have seen a much greater commitment to best practice in how houses are situated. The Labor government is now taking a more proactive role in land development. Hopefully, that will mean blocks will be laid out with much more regard to solar access as well as privacy and other issues. That is a good step. That is why I am supporting Mr Corbell in taking a more proactive role in land development. That will give government much better control over the layout of new residential suburbs and such things as solar access. I will be watching closely to see how Mr Corbell progresses with that initiative.

There are issues for people in ACT Housing. Mr Wood raised some good points about the condition of a lot of public housing. He said that all housing is insulated. He must mean roof insulation. I do not think he is claiming that all government housing has wall insulation. It may not be sensible to install that in some of the older stock if we are going to replace it with more socially appropriate models.

If we are spot buying new houses or units for public housing tenants in new developments when the energy efficiency standards of new developments are not that great, we are buying ourselves problems. We have the four-star rating system for new dwellings, but we could have an eight-star system. What is occurring with new buildings is not at the cutting edge, even though in providing for a mandatory energy efficiency standard for new buildings we are doing better than a lot of other places in Australia. There is certainly room for improvement. I look forward to this debate continuing.

**MS DUNDAS (12.05):** I rise on behalf of the Australian Democrats to add comments on the government's solar hot water rebate scheme, the motion and the amendments. The ALP policy platform released in July last year stated that Labor supported a low-interest loan scheme to encourage householders to buy solar hot water systems. During the election campaign when promises were being made, the current rebate system was promised. Since then the government, to its credit, has delivered on this promise. Surely

keeping an election promise such as this is worthy of commendation rather than condemnation, but with Ms Tucker's amendments we are happy to take "congratulations".

The motion moved by Mrs Dunne also raises an important point: the plight of Canberrans who rent privately and from ACT Housing. It is true that private renters are not helped by the current rebate scheme, unless an altruistic landlord takes advantage of the scheme in the upgrade of their property. Renters of ACT Housing are not helped by the rebate scheme either. The utilities bills of ACT Housing tenants create a huge burden on the income of these tenants. Solar hot water systems should be used and could be used to save money on utilities.

The recently released study from Energy Partners in the ACT estimates that the yearly saving on electricity bills could be between \$300 and \$400. This is a significant saving, and I am certain that many ACT Housing tenants would support and welcome a saving of this sort.

For this reason, I am happy to add my support to a call on the government to install as many solar hot water systems as practicable in ACT Housing dwellings. But this need not replace the rebate scheme. It should be an addition to it.

For private renters, a more clever approach is required. Incentives include further tax rebates, low-interest loans shared between landlord and tenant, and savings to be made on utility bills. The Planning and Environment Standing Committee inquiry into renewable energy may produce more recommendations in this area. I hope we do. Later today I will be moving a motion calling for all householders to be provided with information as to the effect their energy consumption has on the environment, to encourage all householders to take responsibility for their use of energy.

Finally, Mrs Dunne, although there are many predictable members of the Liberal Party here in the Assembly, you are one member that continues to amaze me. I never thought I would see a media release from a Liberal member attacking Labor for being elitist and attacking them for middle-class welfare. This is definitely an indication of the state of modern politics, and it seems that some rhetoric does cut across both of the old parties.

I commend and congratulate the government for their rebate scheme and call on them to work with ACT Housing tenants and with landlords and tenants of the private market to increase the use of solar hot water systems.

**MR CORBELL** (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (12.08): Mr Speaker, the government will be supporting Ms Tucker's amendments. It is worth commenting a bit more about the value of the government's scheme and the approach of the Liberal Party to it. Far from being middle-class welfare, the government scheme assists a great diversity of families in the ACT to get access to technology which potentially would save them thousands of dollars each year and which would save the environment by reducing the rate of greenhouse gas emissions from conventional power sources.

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Think about the cost of a solar hot water system compared to a conventional hot water system. Think about the comparative disadvantage a home owner faces when they look at installing solar versus a conventional gas or electricity system. The clear advantage in the short term, in terms of the capital cost, is to go with a conventional electric or gas system. For a family struggling to meet its mortgage payments and to pay the costs and charges they face, installing a conventional gas or electric system makes sense. Whilst everyone knows you recoup the savings in the long term by installing a solar system, the up-front cost compared with a conventional gas or electric system means that going with a conventional gas or electric system is the most sensible thing to do in the short term. When you do not have the cash to invest in the long-term alternative, that is what you do.

The government wants to assist those who cannot afford the capital cost of installing a solar hot water system to get into that form of technology and make savings down the track. We want to get people over that barrier. Far from being middle-class welfare, it is welfare that assists ordinary working families in the ACT who cannot otherwise afford the cost of this type of technology. We are putting the technology within the reach of ordinary working families in the ACT.

For Mrs Dunne to stand up in this place and say it is regressive is not only short-sighted but downright mean. But of course that is second nature to the Liberal Party. It is wrong of Mrs Dunne to suggest that this is a regressive scheme. Far from it.

Mrs Dunne made an appropriate point about making provision for solar hot water systems in ACT Housing. But she misunderstands the intent of the scheme. The scheme never claimed to be a scheme focused on providing these systems within ACT Housing. As members would understand, ACT Housing stock is extensive, and the cost implications such that it is simply not viable for the government to make a commitment to replace all systems in ACT Housing properties with solar systems.

But we agree in principle that this is the way to go. That is why we will be supporting the amended motion, which makes that point. We would like to aspire to doing that. As my colleague Mr Wood pointed out, policies implemented by the previous government make that very difficult to achieve. Loss of design capacity for new developments for ACT Housing properties is one very good example. That loss of capacity occurred under the previous government as a result of their policies and their federal counterparts reducing the amount of money coming in through the Commonwealth-State Housing Agreement. Let us look at those facts in the light of day and understand exactly what is going on.

This is a good policy. The government is committed to implementing it, it has made the investment to implement it, and it is only appropriate that we recognise its benefits to the community as well as appreciating that there is still more to be done in addressing the concerns, rightly raised, in relation to ACT Housing.

**MR STEFANIAK (12.14):** The first part of Mrs Dunne's motion rightly calls this scheme regressive. Mrs Dunne is concerned to ensure that the people least able to afford it have access to the scheme.

I was amused to hear Ms Dundas say she was surprised at Mrs Dunne calling the Labor Party elitist. I would have thought that started with Gough Whitlam. I can remember references to wine-and-cheese, pinko, leftie elitists and things like that. This has been around for a while and does not surprise me.

The minister for housing mentioned insulating government housing. I am not sure whether that was started by us or you. It is certainly a good thing. I can recall that when I was minister we were doing it, but I would not claim credit for starting it. I am uncertain whether I started that or whether David Lamont or Terry Connelly did.

A very useful guide to what Mrs Dunne is doing here is what we did with smoke alarm systems. When I was minister we started putting them in every ACT government house. The fire brigade was made available to assist in installing them, perhaps even in private homes, although private owners had to buy their own detectors. They are fairly simple to install. I can recall buying some for my place.

That scheme was primarily for those who were least able to afford to buy a smoke alarm but who would clearly benefit from one: ACT Housing tenants. We also encouraged people who owned their own houses to install detectors. The detectors were fairly cheap. They started off at about \$20 a unit, but came down to about \$10 because of the number of houses they were going into. That was a particularly good scheme. The solar hot water scheme is a similar scheme.

Members have said that some houses are not suited to solar systems and that it would be impractical to install such a system in them. Extending the scheme to ACT Housing would follow on from our last budget, which provided money for improvements to hot water systems. You might find, Mr Wood, that some money is already available.

Mrs Dunne realises that it would not be appropriate to install a solar system in every instance. That is why in paragraph (2) of her motion she talks about “immediately commencing the installation of solar hot water systems in all suitable, new developments constructed by or on behalf of ACT Housing”. Obviously some developments might not be suitable and it might be impractical. But certainly for all suitable new developments there are savings to be made in lower bills.

Families in government housing are entitled to electricity rebates unless they are paying their full market rent. But the vast majority, between 87 and 89 per cent, pay subsidised rents and are entitled to rebates. Even so, electricity is still a huge impost. My office regularly gets calls from people who have trouble meeting their payments. It is incredibly difficult living on a pension, even with rebates and assistance from state government authorities and the Commonwealth government. Everything helps. Solar hot water in suitable new developments would help quite a number of ACT Housing tenants. Every cent they save helps them.

Paragraph (2) (b) of Mrs Dunne’s motion talks of “initiating a program whereby all replacement hot water systems on suitable ACT Housing dwellings are solar systems”. Obviously not all of our current dwellings are suitable, for whatever reason. I am not a structural engineer. I would not have a clue. Obviously there are places where you could not do it. But another dwelling in which the hot water system hits the dust might be suitable for a solar system, which would the tenant less in electricity.

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I commend Mrs Dunne for moving this motion. It is all very well for people in the work force to benefit from schemes, but it is crucially important for a government, where it can, to extend those schemes to those who need them most.

My understanding is that solar hot water systems would probably be cheaper for ACT Housing. They benefit tenants, but because they are more modern there is less maintenance cost. I could be corrected, but I recall some blurb indicating that they are pretty efficient systems. There might well be ultimate savings for Housing as well.

This is a very good motion, worthy of support. If the government adopts it and goes down this track, many tenants in our city will save probably tens of dollars, hopefully hundreds of dollars, a year. That makes a huge difference if you are on a pension.

**MR QUINLAN** (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (12.20): I rise to give the accountant's view. I advise my colleague Mr Wood that should he adopt this motion we would be better served if the solar hot water systems were boosted off-peak. If I say this a number of times in this place, it may get through. Off-peak in itself is almost worthless in practical terms in saving energy, unless it is used for peak management. It might be worth something to the individual, but in terms of its environmental impact its value is diminished considerably.

While I am on my feet I might be able to reconcile something for Ms Dundas. She is a little confused as to Mrs Dunne's image projection. Let me remind the new Green how the votes fell in Ginninderra and how close in the last couple of elections the Greens went to winning a seat and how close the Liberals went to winning only one seat. Mrs Dunne, it is not easy being green. Nevertheless, I wish you well with it.

**MR WOOD** (Minister for Urban Services and Minister for the Arts) (12.23): As I reflect on the measures the government has taken towards reducing greenhouse gases, there is one measure that slipped past Mrs Dunne's mind. It is pretty much the same sort of principle. That is the measure to subsidise wall insulation. That is open to anybody in the community. I was reflecting on where money for some of these things comes from. That program was the result of Commonwealth funding. It was an initiative to combat greenhouse gases. It was considered a very innovative program by those who award these grants. We have a program under way, well supported by applicants, to subsidise the installation of wall insulation. Members will recall, as I do now, that the additional appropriation bill provided the funding for the solar hot water systems.

I use this opportunity to reiterate the government's view that we accept this motion in principle. We will be supporting it with that in mind.

**MR SMYTH** (12.24): I had great hopes that the new minister for housing would take his responsibility seriously in helping ACT residents cope and helping to lift some of the burdens off ACT Housing residents, but perhaps my faith in Mr Wood was misplaced.

When I was housing minister, we started a program that seriously looked at relieving the cost burden of heating homes and maintaining homes for ACT Housing resident. We tuned up the hot water systems, and sealed cracks and air leaks that caused the heating to

be less than efficient. I would have thought that what Mrs Dunne is proposing is exactly what an incoming Labor government would have thought was exemplary behaviour in their commitment to ACT Housing tenants.

I heard Mr Wood—I am not sure whether any other members of the government said it—say “in principle”. So maybe my hope has not been dashed entirely. Maybe in the coming years, when they see the errors of their ways, they will look at what Mrs Dunne is suggesting. It is sensible. It is sequential. It builds on things we did. It should be an example to rate jurisdictions of what they should be doing with their public housing stock, because it is the right thing to do.

We will be opposing the amendments. The motion is saying that the scheme reinforces an inequity. It gives money to those paying off their own accommodation who can perhaps afford a solar hot water system, although it endeavours to help those who cannot. As a priority, the government should look after their own first and lead by example, which is what we did.

Amendments agreed to.

**MRS DUNNE (12.27):** I am concerned about the nonchalant approach of the minister for housing. In my introductory speech, I spoke about the lack of vision on the government benches. That was reinforced when Mr Wood stood to speak. It was perfectly obvious that he either had not read or had not taken in the essential intent of the motion.

We are not saying that Bill Wood should replace every hot water system with a solar hot water system tomorrow. It is about sequential change. We were told, “It is really difficult to do maintenance. We would like to do it but we cannot.” Mr Wood is saying that if you are an ACT Housing tenant and your hot water system breaks down you may not get one to replace it. You can have a warm inner glow about your middle-class welfare for people who already own houses, but you are essentially saying that if you are a government housing tenant and your hot water system blows this winter you may not even get a warm shower.

**Mr Wood:** I do not know about that, Mrs Dunne.

**MRS DUNNE:** You said it was difficult to keep up with the maintenance. It is all just a bit too difficult. You said you had to do the best you can. This motion says that if a hot water system breaks down in a government house and it is no longer serviceable replace it with a solar one. Mr Wood, you are using somebody else’s money on your project, and you are too mean to look after your own tenants. You are too mean to lead by example.

Mr Wood said that architects have to look at cost-effective options when designing government housing. Every piece of literature you care to read shows that the installation of a solar hot water system is, in the long term, cost efficient, energy efficient and greenhouse efficient. Mr Wood said that greenhouse was the main issue I am concerned about. He obviously did not listen, as well as not read the motion. The motion is about energy efficiency, it is about greenhouse, and it is about providing social equity by reducing the cost of living for the people who are least able to pay for these things.

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We should be encouraging architects. We should be mandating that architects put these things in. We know that they create energy efficiency and that the embedded energy in the production of a solar hot water system, taken over the life of the system, means that it is far more efficient than any alternative means. You have to look at the big picture, not just at tomorrow's budget.

What I am most concerned about is that Mr Wood is saying, "I am happy about it in principle, but I want to wash my hands of the needs of housing tenants." I am also concerned about the blase approach of the party of social justice. I was encouraged to join a party of social justice. Look at them here.

As far as the solar hot water scheme goes, it is an admirable scheme. My point is that it does not go far enough, it is visionless and it does not lead by example. It says that you can spend money but the ACT government are not prepared to put their hand into their pocket in the same way as they want you to.

Mr Corbell said, "We want to assist those who cannot afford to buy a hot water system." That is fair enough, but in the same breath he is also saying that he could not care less about the people who cannot afford to build a house or own a house on which they could put a solar hot water system. He said it was not viable. This is a Labor government abandoning the people most in need. They agree with it in principle, but it is not viable. They do not want to go ahead with it.

This is a sad day for the ACT and a sad day for a party that used to be a social justice party but has now abandoned government renters.

Motion, as amended, agreed to.

**Sitting suspended from 12.32 to 2.30 pm.**

## **Questions without notice**

### **Commission of audit**

**MR HUMPHRIES:** My question is to the Treasurer, Mr Quinlan. Mr Quinlan, in its editorial on 10 May, the *Canberra Times* said:

It is in this transitional context and the context of setting the measuring dogs out in the middle of a fiscal year that Labor's commission of audit must be read. The reading was a misreading. The commission took a snapshot of the cash position on returns on investment as at October 31. That should not have been done in the context of an accrual system. If it had not been done, the return would have been substantially high—but perhaps not as high as the Liberal's suggest.

The truth probably lies somewhere between Labor's estimate of a deficit of \$5 million and the Liberal's estimate of a surplus of \$58 million. Suffice to say that the Liberals left Labor with an operating surplus. After six years of government, the Liberals turned the finances of the territory around from chronic deficits to projected surpluses to reduce outstanding debt.

Minister, do you stand by the methodology used by the commission of audit of taking a snapshot of the cash position on returns on investments on 31 October, given that the ACT now has an accrual accounting system, and that October 31 is not normally a date which is used as part of the territory's reporting on finances?

**MR QUINLAN:** I think the question swings on what is a normal date for accrual accounting. I have to say any date is quite acceptable for accrual accounting. If, for example, Mr Humphries, you were going to buy a business, and you were going to take that over on say 31 October, I reckon you would be at least half smart to get the books done and the valuation of the business done at say 31 October. I reckon that would be—

**Mr Humphries:** If I was buying it six months later I would do it six months later, wouldn't I?

**MR QUINLAN:** But the whole point is that the government changed in October. I don't know what possessed the *Canberra Times* to pick up that line which I think was part of your consultant's criticism—I think the only substantial criticism, at that—of the commission of audit. So we have got to the point where you are saying the government changed hands—you might have noticed that, too—but you should not measure the state of affairs at the change of hands. That just seems to me to devolve to an absurdity.

**MR HUMPHRIES:** Mr Speaker, I have a supplementary question. Are you concerned, minister, that Access Economics, Mr Blessington, the HIA and the *Canberra Times* have all explicitly or implicitly rejected the findings of the commission of audit and that no independent authority has explicitly or implicitly supported it, except, of course, for the commission itself?

**MR QUINLAN:** Yes, I certainly am. I have stood in this place before and said that the *Canberra Times* has actually regurgitated one-liners that you have put out over the years which it did not but should have researched. I am concerned that they just picked up on that line and said, "Oh, that sounds reasonable. We'll have that."

I am concerned that the Access Economics summary—and I presume that you accept the Access Economics summary—is done on the GFS system, which takes no great account of long-term liabilities, unless you look at the net borrowing. What the Access Economics monitor included was the measure of the underlying cash surplus. It measured operating deficits—it put you down as a deficit, by the by—and then it ignored the third critical measure of those three. So you actually get a picture using the government financial statistics method, which is a method employed by the Australian Bureau of Statistics—a set of numbers collected.

So I am concerned that, in fact, when we have got a superannuation liability—something that was the subject of so much debate during the course of the last Assembly; it was the reason that you wanted to sell off Actew in total, and it was the subject of further debate and an inquiry that I just happened to chair—you and others are saying virtually by dint of the GFS assessment everything is okay. Is it okay or is it not in terms of the superannuation liability? Is it okay to ignore the very, very substantial and growing superannuation liability? Let me tell you that four years ago it was the whole reason, it was the whole centre of debate for six months. So, yes, Mr Humphries, I am very concerned.

## Gungahlin Drive extension

**MS GALLAGHER:** My question to the Minister for Planning relates to the article in today's *Canberra Times* concerning the Commonwealth's budget announcement on the proposed upgrade of the Australian Institute of Sport and the associated statements by Mr Bartels, the chairman of the board of the Australian Sports Commission, about the future of the Gungahlin Drive extension. Minister, can you respond to Mr Bartels reported statement in relation to the future of the road?

**MR CORBELL:** I thank Ms Gallagher for the question. I was very disappointed, as was the government, to see the comments from Mr Bartels. Mr Bartels is reported in the paper today as saying "the executive of the Commission will continue to work with the ACT government to stop the road". Mr Speaker, I can assure members that the ACT government is not working with the Australian Institute of Sport to stop the road. Indeed, far from it. The only people interested in stopping this road are those opposite. The only people interested in stopping this road for Gungahlin residents are those people opposite and their Liberal cronies in the federal parliament.

Mr Speaker, the negative comment that we have seen from the Australian Sports Commission really does highlight, I believe, a matter which is of serious concern to the ACT government, and that is that it would appear that the Australian Sports Commission and the AIS have already made up their minds about the Gungahlin Drive alignment along the western route—and that is, they don't want it. Despite the fact that studies in relation to the alignment of the road have not been completed, the final alignment has not been determined, and noise, air quality and a range of other environmental assessments have not yet been completed, they have appeared to have already made up their minds.

The only conclusion one can draw is that those opposite have sought to exercise their influence with their Liberal cronies federally to try to prevent the residents of Gungahlin from getting this road. That can be the only conclusion that can be drawn. This is a blatant disregard of the election commitments of this government and of the community that voted for this government. It is quite unacceptable—

**Mr Smyth:** I take a point of order, Mr Speaker. Ms Gallagher's question was about Mr Bartels and the interaction between the Sports Commission and the government. I didn't actually hear her mention the Liberal Party.

**Mr Stanhope:** It was about the porky he told. It was about the big porky he told.

**Mr Smyth:** Simply for the record, we actually picked a route, we have done the work, we have done the draft variation, and we have money in the budget to fund the eastern route. So we are very keen to get ahead with building the road.

**MR SPEAKER:** Mr Smyth, if the opposition didn't interject so much perhaps they wouldn't draw such attention to themselves.

**Mr Smyth:** Well, Mr Speaker, one must interject when one is being misrepresented. Quite clearly, Mr Corbell in answering this question is endeavouring to hide his shame.

**MR CORBELL:** Mr Speaker, the reality is that those opposite are seeking to undermine this government's mandate to build the road on the western alignment.

**Mrs Dunne:** Mr Speaker, I would ask you to ask the Chief Minister to withdraw the inference that Mr Bartels tells lies.

**MR SPEAKER:** I didn't hear that.

**Mrs Dunne:** We heard it.

**Mrs Cross:** We heard it.

**MR SPEAKER:** I didn't hear it.

**Mrs Dunne:** He said it is about the porkies he tells, that he tells porkies. I would like him to withdraw it because Mr Bartels cannot defend himself here in this place.

**MR SPEAKER:** Resume your seat.

**Mr Stanhope:** You do need to know, Mr Speaker, what I said. The suggestion in today's paper that the AIS or the Sports Commission was working with this government to stop the road is a porky, it is not the truth, and I don't resile from that. Nobody is working with this government to stop the road. The only people trying to stop the road are the Liberal Party.

**MR SPEAKER:** I think you have made your point. I will rule on this. It is not about a member in this place, and it is not a point of order. Mr Corbell, would you like to continue.

**MR CORBELL:** Thank you, Mr Speaker. The Australian Sports Commission's refusal to engage in a constructive process is of serious concern and a matter of regret for the government.

The ACT government is continuing to finalise the preferred alignment for the road on the western route. Initial environmental and engineering research studies are still being finalised. We now have confirmation from the chairman of the Australian Sports Commission that it is the Sports Commission's position to stop this road despite the fact that those examinations have not been completed.

The Australian Sports Commission needs to understand that the ACT government was elected on a policy of building the road on the western alignment, and we are entitled to seek to implement that policy. It is a matter of grave concern that a Commonwealth government agency is seeking to hinder a democratically elected government in the territory in its efforts to establish and implement its election commitment.

Mr Speaker, I know that the opposition is opposing the western alignment, and it would appear that they are prepared to do absolutely anything possible to seek to ensure that the western alignment is not constructed. No matter what the community says at the ballot box, no matter what the policy is of the elected government, they are going to seek to oppose it.

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The reality is that the government will continue to closely and seriously address the issues raised by the AIS and the Australian Sports Commission. We are undertaking an extensive range of engineering, noise, air quality and environmental studies to fully understand the impact of the alignment and to make sure that the issues raised by the AIS are appropriately and responsibly addressed. Until that data is available, until those studies are complete, it is pre-emptive of the Australian Sports Commission to state the view that Mr Bartels stated in the paper this morning.

**MS GALLAGHER:** Mr Speaker, I have a supplementary question. Minister, can you tell the Assembly what the government has done, and agreed to do, to endeavour to work cooperatively in addressing the concerns raised by the Australian Sports Commission in relation to the western alignment of the Gungahlin Drive extension?

**MR CORBELL:** The government will continue to deal with the commission in good faith. We are still intending to conduct a joint research study into the possible impact the road will have on athletes training environments, which is one of the key issues that have been raised by the Australian Sports Commission. This has been made very clear to the Sports Commission and they have been directly involved in assisting in finalising the terms of reference and the appropriate people to undertake that study.

The Australian Sports Commission has, however, raised a number of concerns which are based on assumptions which are incorrect. They are incorrect because they are not based on any clear and definitive information which is needed to make an informed comment. Meetings have been held throughout this year with Australian Sports Commission representatives to discuss their concerns. The government and the ASC have agreed to work together on a study, which I have just alluded to, and, as a result, the government is considering design options to address the identified needs of the institute. This is a reasonable approach by the government. We are at every stage seeking to address these concerns and do so in a responsible way. It is irresponsible of the Australian Sports Commission to have a predetermined view on the outcome of those studies when they have not yet been completed.

## **Land development**

**MR CORNWELL:** My question, which is also to Mr Corbell as Minister for Planning, refers to recent advertisements—perhaps famous advertisements—in the *Canberra Times* placed by the Master Builders Association and the Housing Industry Association. Minister, isn't the MBA/HIA correct when it says that the cost of the government re-entering land development will see a substantial drain on the ACT budget for the next three years? Were you not briefed when Labor assumed government that the cost of government re-entering the land servicing business would cost between \$75 million and \$150 million over the first three years?

**MR SPEAKER:** Mr Corbell, before you go to the question, the second part of the question has been asked, I think by Mrs Dunne, and answered at some time in the past. So you can address yourself to the first part of the question, but if you feel in a relaxed mood, you can remind members about your position on the second part.

**MR CORBELL:** Mr Speaker, the figure that Mr Cornwell alludes to, as I understand it, was included in an incoming government brief which I received. I would have to say that, based on my most recent advice, the figure is greatly exaggerated. That is, of course, a result of the fact that when that figure was prepared, no detailed work had been done within government on the implementation of the Labor Party's policy to restore land development responsibility to the government. As a result, it is an indicative figure and a figure, I can advise members, that is grossly exaggerated.

Mr Speaker, the government is currently considering its options in relation to the resumption of government land development. Those matters are before the cabinet currently and it would not be appropriate for me to comment on material that is before the cabinet.

The Master Builders Association's and the HIA's advertisements are simplistic and misleading because they fail on at least one key test. The one key test that I would put up, amongst a range of others, is this: what is going to be the improved return to the Canberra community of the government resuming land development? Members would have seen a report in the paper today in which I am quoted as indicating that if the government was to resume full land development responsibility, the amount of revenue the ACT community would receive each year would double in relation to its land sales. That would be a significant benefit to the Canberra community.

It is in the public interest to ensure that we make sure, as the government, that the return on the land asset to the community is maximised in a responsible way. That is one of the objectives we are seeking to achieve in relation to government land development and we will continue to focus on that objective.

**MR CORNWELL:** Mr Speaker, I have a supplementary question. Mr Corbell, did you say that the MBA/HIA estimate was grossly exaggerated or just exaggerated? I don't want to misquote you. Would you mind advising this Assembly what the figure was that you were provided with, and what was the funding basis on which it was reached?

**MR CORBELL:** I have just answered that question.

**MR SPEAKER:** That question has been fully answered.

## **University of Canberra**

**MS TUCKER:** My question to the Chief Minister and Attorney-General concerns the relationship between the ACT government and the University of Canberra. As the Chief Minister would be aware, the University of Canberra was established under an act of the Assembly and half the University Council is appointed by him. The Chief Minister would also be aware of claims of fraudulent acts by employees or members of the University of Canberra Union board.

He should also know that members of the Postgraduate Students Association feel under continual attack from the university due to the fact they have raised, and continue to raise, concerns regarding: the management of the Canberra University Union; the processes adopted by the University Council in dealing with these issues; and what they see as a diminishing commitment to sustainability in the university's teachings and

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operations. I understand Mr Tonkin and the Government Solicitor's Office have been involved in resolving these issues. Could you tell us what progress has been made?

**MR STANHOPE:** Ms Tucker, there are a range of allegations currently alive in relation to the operation of the University of Canberra Union. The allegations have been made to the ACT Ombudsman, the ACT Auditor-General and the Chief Minister's Department. As you indicate, Ms Tucker, the allegations have been made by members of the university's Postgraduate Students Association, who are seeking to have the allegations investigated pursuant to the provisions of the Public Interest Disclosure Act.

Before commencing an action, legal advice from the ACT Government Solicitor was required to clarify the application of the Public Interest Disclosure Act to the University of Canberra. These issues have been progressed through the Chief Minister's Department and the department of justice, and legal advice was received on 6 May by the Chief Minister's Department. The import of that advice was that the Public Interest Disclosure Act does not in fact apply to the university.

The vice-chancellor of the university was advised on 11 May last week that the Public Interest Disclosure Act 1994 does not apply to the University of Canberra. The Chief Minister's Department has invited a response from the vice-chancellor to the information to that effect. At this stage the Chief Minister's Department is awaiting further advice from the university in relation to the issue.

I should in conclusion make the point that whilst the Postgraduate Students Association has at this stage sought to pursue the allegations through the Ombudsman, the Auditor-General and the Chief Minister's Department, there are potentially other avenues available to it, particularly directly with the university. But this is the stage that has been reached in respect of the ACT government's involvement with this issue.

**MS TUCKER:** Mr Speaker, I have a supplementary question. If the Public Interest Disclosure Act does not cover the University of Canberra, do you intend to change this situation?

**MR STANHOPE:** I think our investigation of this matter in terms of the issues that have been raised with us and the allegations that have been made by the Postgraduate Students Association does raise a question around the efficacy of the act, and whether or not it should cover the university. As a result of that issue being raised through these allegations and this investigation, I am more than happy to ask the department to pursue the appropriateness of the act extending to the University of Canberra.

### **Gungahlin Drive extension**

**MRS DUNNE:** My question is to Mr Corbell in his capacity as the Minister for Planning. Minister, on ABC radio this morning the chair of the Australian Institute of Sport, Mr Peter Bartels, waxed lyrical about the \$65 million that the federal government is planning to spend on the AIS in Canberra. When he was asked about the impact of Labor's plan to build a road outside the AIS, Mr Bartels said:

If you were about to build the best institute, sports institute in the world, you wouldn't build it beside a freeway.

Minister, given your extraordinary attack on Mr Bartels and Mr Stanhope's extraordinary attack, can you explain to the Assembly what you mean by "good faith"? And does negotiating with the AIS amount to having the AIS believe what you believe? Are you determined to plough ahead with this ill-conceived idea no matter how much compelling evidence is compiled against it, and despite the fact that the community already has an alternative route which you could build today for the people of Gungahlin? Minister, are you staking your ministerial reputation on the route of this road, and if you fail will you resign?

**MR CORBELL:** Mr Speaker, if Mr Bartels means "don't build a freeway beside an institute of sport", which side is he talking about—the eastern side or the western side? Whichever way you look at it, there is going to be a road beside the Australian Institute of Sport. It is either going to be on the eastern side or the western side. So let us just make that very clear.

Mr Speaker, I think I have made clear the government's concern about Mr Bartel's comments. Mr Bartel said, "The executive of the Commission will continue to work with the ACT government to stop the road." Again, I can assure members that that comment is not correct. We are not working with anyone to stop the construction of the western alignment.

Mr Speaker, as I said clearly in response to Ms Gallagher's question, the government is undertaking a significant range of examinations in the engineering, environmental, air quality and noise areas. These are meant to properly inform the preferred final alignment of the road on the western corridor. Until the Australian Sports Commission have seen the outcomes of those studies—studies that they have agreed to participate in—it is pre-emptive of them to respond in such a way as to say the road should not be built on that alignment.

**MRS DUNNE:** Mr Speaker, I have a supplementary question. Minister, when will you deal in good faith with the Institute of Sport, come clean with them and tell them that their views count for nothing and that you will push this road through regardless of the national interest?

**MR SPEAKER:** I think that is an imputation. "When will you deal with them in good faith" is an imputation and I think you should withdraw that.

**MRS DUNNE:** Mr Corbell—

**MR SPEAKER:** Just withdraw it.

**MRS DUNNE:** I will withdraw.

**MR SPEAKER:** Thank you.

**MRS DUNNE:** But I should point out that Mr Corbell has demanded that the AIS deal with them in good faith. So if it is good enough for the AIS it is good enough for Mr Corbell.

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**Mr Stanhope:** Just withdraw it and sit down. It hasn't been withdrawn.

**MR SPEAKER:** Order! Mrs Dunne has withdrawn the imputation. Thank you, Mrs Dunne.

**MR CORBELL:** Mr Speaker, since its election in November last year, the ACT government has been working in good faith with the Australian Sports Commission. I, as minister, have met with the chief executive of the Australian Sports Commission on two occasions to discuss the commission's concerns. One of those occasions was an onsite visit and inspection of the AIS campus. Officers of the Department of Urban Services have been in continual contact with the Australian Sports Commission and have agreed with the Australian Sports Commission on a joint study into the impact on the training environment at the AIS of a possible western alignment.

Mr Speaker, that is dealing in good faith. What is not dealing in good faith is for the ASC and the AIS to participate in those studies, and to cooperate in that way, yet continue to say publicly that no outcome except a refusal by this government to build a road on the western alignment is acceptable. That is not acting in good faith, and that is what they continue to assert publicly—that no matter what this government does, the road cannot be built on the western alignment. Mr Speaker, that is not dealing in good faith.

The ASC and the AIS cannot have it both ways. They cannot say, "Yes, we will work with you" and then continue to publicly assert that the western alignment is unacceptable no matter what. They should, as a minimum, await the conclusion of the detailed assessments—assessments being paid for by the ACT government—before they reach any definitive conclusion which asserts that the western alignment is unacceptable no matter what.

### **Disability services**

**MS MacDONALD:** My question is to the Minister for Health. Can the minister tell the Assembly the effect of last night's federal budget announcements in relation to the funding of disability services? Has the Commonwealth met the commitments it gave to the states and territories in relation to disability services funding?

**MR STANHOPE:** I thank Ms MacDonald for the question. Yes, the federal government did confirm last night that they would not be withdrawing their previous commitment to ageing carers of people with disabilities by continuing to provide \$100 million nationally on a recurrent basis. It does need to be recognised in relation to the statement made last night, though, that this is not a new promise. This is simply the keeping of a promise that was made in July 2000 at a meeting of a ministerial council of disability ministers that was attended by the then minister, Michael Moore. At that meeting the Commonwealth did commit to provide additional funds of \$100 million on a recurrent basis.

So it is pleasing that the Commonwealth has, through this budget, kept that promise. They claimed it to be a new initiative and new monies, but it is really simply the keeping of a promise. So there is, in fact, no new funding in this budget for states and territories—just the maintenance of what was previously allocated outside of the multilateral agreement.

I think it has to be said in relation to disability funding, too, that the Commonwealth contributes less than 20 per cent of the monies that are provided by most states and territories for the provision of disability services, and we need to keep that in mind. But it is the view, I think, of all states and the territories that the Commonwealth is not meeting its obligations to people with a disability to the extent that the community would expect.

We acknowledge in this community—and, of course, the Gallop report brings this issue into fine focus for us—that there is much for us to focus on within the ACT in relation to the delivery of the best possible services to people with a disability. There is much work to be done and this is in train. The Disability Reform Group is working actively and incredibly busily with the Office of Disability and our consultant, Anne Cross, to deliver policy responses to the raft of issues that have been raised through the Gallop report and otherwise. The government has also committed to an additional \$1 million of funding for disability services in the first instance to ensure that we can maintain our commitment to people with a disability.

It is interesting, too, that the Commonwealth has maintained its original allocation of funding for addressing unmet needs. This is funding that was also originally allocated in 2000. The states and territories have always understood that the Commonwealth's commitment to addressing unmet need was an ongoing one. But, once again, it was not until the budget last night that the Commonwealth indicated that it would meet that commitment. I know that at the last ministerial council of disability ministers, the Commonwealth minister, Senator Vanstone, refused to confirm or deny that the Commonwealth would be meeting or honouring that commitment.

One of the great concerns in the budget announcement last night, as it affects disability funding, is that the budget provides no growth funding to meet the increasing demand from population increases and ageing. I think that is highly ironic in the face of Mr Costello's intergenerational report and his new-found commitment to address the needs of a rapidly ageing community. There is much play about the Commonwealth's long-term focus but we find in relation to the issue of disability services that it will not commit to growth funding in the face of an ageing population.

The Commonwealth has also failed to contribute to the additional funding pressures facing service providers, such as increasing wage costs, insurance and compliance costs. The territory has picked up these costs to ensure that existing services continue to be viable, but with increasing pressures in other areas of the budget this may not always be possible. This is a very significant pressure on this budget and others, and we will continue to call on the Commonwealth to meet its commitment to people with a disability.

But having said that, the new arrangement in relation to disability pensions, this attack on people on pensions to fund the Commonwealth's current priorities, is one of the most disturbing aspects of the budget that was delivered—the extent to which the disadvantaged and the disabled are effectively being asked to pick up the fact that the Commonwealth has just dropped a \$1.2 billion deficit on us.

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**MS MacDONALD:** Mr Speaker, I have a supplementary question. Given that ACT patients needing radiation oncology services face long waits and that the territory is about 40 GPs short of national averages, can the minister say if other initiatives announced in last night's budget will help meet local needs?

**MR STANHOPE:** Once again, the two worrying and disquieting aspects of the federal budget, insofar as it dealt with issues of health and health funding, were the announcements made in relation to GPs and radiation oncology services. In relation to the significant additional funding to enhance GP services in areas where there are difficulties, the Commonwealth has explicitly excluded both the ACT and the Northern Territory from a share of those funds. That is in the face of the Commonwealth's last published figures on GP numbers in the *Report on Government Services 2002* that show that the ACT is well below the national average of full-time equivalent GPs on a per capita basis. The estimation is that we are 40 GPs below the national average of full-time equivalent GPs.

So there is a significant acknowledged problem here in the ACT in relation to our capacity to attract GPs to service in the ACT. We are at least 40 short on a per capita basis, and yet the Commonwealth has specifically and explicitly excluded both the ACT and the Northern Territory from its GP enhancement or attraction programs. It is a real pity that Canberra is so blatantly discriminated against by the Commonwealth government in relation to that program.

Similarly, in relation to significant additional funding for radiation oncology, whilst the Treasurer's statement and the budget papers are much more ambiguous or ambivalent about the funding of radiation oncology services, there is a real concern that the ACT will miss out on that funding as well, to the extent that the Treasurer, in his description of where the services will be targeted, uses the description of "regions".

We know from previous budget policy initiatives that the ACT does not fit within the Commonwealth's description of a region, so we miss out at both ends. We miss out in relation to the GP funding because we are not one of the major state capitals, as described by the Treasurer in his speech last night, and we miss out on the radiation oncology funding because we are not a region. It appears that because we are Canberra, we are not a major capital or a metropolitan area, and we are not a region either.

To the extent that I always expect a level of Canberra bashing in these issues, it is a major concern that, in the case of one particular program, we are not a metropolitan area, so we miss out; there is another program targeted for the regions, and we are not a region so we miss out on that as well. This, of course, flies in the face of the fact that the Canberra Hospital, as the major trauma hospital for this region—and Canberra is the major medical centre for a region of just on 500,000—attracts 25 per cent of its patients from New South Wales.

In relation to high care procedures such as oncology, it attracts a much higher percentage. From memory, something of the order of 40 per cent of the people who access radiation oncology services at the Canberra Hospital are from New South Wales, and yet we are discriminated against in this way by the Commonwealth.

## **Gungahlin Drive extension**

**MR PRATT:** Mr Speaker, my question is to Mr Quinlan, the minister for sport. Mr Corbell has stated today a number of times that the Australian Sports Commission is making judgments about the western route option not based on facts. In fact, the opposite is true. Minister, the Australian Sports Commission has commissioned Eldemar Research Associates to conduct a study of the impact of the western route of the Gungahlin Drive extension on the AIS. It found, "AIS concerns about the possible noise and air pollution effects of the western option on residents and other athletes are well-founded, in our opinion." Minister, will you reconsider your support for the western route of the Gungahlin Drive extension in light of the thorough study performed by Eldemar Research.

**MR QUINLAN:** Can I pass that question to Mr Corbell.

**MR CORBELL:** Mr Speaker, the government is aware of the so-called Eldemar report and I think this highlights the approach being adopted by the Australian Sports Commission. On one hand they say they are going to cooperate with us in relation to examinations of the route. On the other hand they produce a report, which we were first aware of last night, and say, "Oh, it is finished, this is what it says and, by the way, it reaffirms our position." That is not the sign of a Commonwealth agency operating in conjunction with, and in cooperation with, the ACT government. It is unfortunate the commission has decided to work secretly on these issues and base its study on information that is not current or indeed relevant to the issues, and does not significantly add anything to the analysis.

Mr Speaker, the report addresses three main issues: noise, air quality and athlete health/performance. All of these issues are, of course, issues that have been identified as issues of concern by the government, and are the subject of a detailed joint study agreed to between the ACT government and the Australian Sports Commission. So it raises the question: why are they doing this work?

Let us go to the substantive issues of the study. The Eldemar report is based on assumptions about the horizontal and vertical alignment of Gungahlin Drive extension which are incorrect because the final alignment, the horizontal and vertical alignment, of Gungahlin Drive is yet to be determined. So how can they assert that the Gungahlin Drive alignment will have a particular impact when they don't know what the final vertical and horizontal alignment will be?

Interestingly, the Eldemar report also reports on the negative impact on local air quality of the western alignment, and it concludes:

The likelihood of a negative impact on local air quality from the eastern option could possibly be at least equal to that of the western option.

So very interestingly, either the eastern or the western alignment, according to the Australian Sports Commission—if you accept that—will have the same impact on air quality.

**Mr Pratt:** Just read a bit further.

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**Mrs Dunne:** Let's not selectively quote, Simon.

**MR CORBELL:** Listen to them now, Mr Speaker. When they find out their alignment has similar impacts, all of a sudden it is not an issue. What is known is that noise and air quality issues are affected, to a large degree, by the vertical alignment of a road relative to adjacent development. In the absence of any details of the actual vertical alignment of Gungahlin Drive extension near the AIS, the findings of the Eldemar report must be questioned.

What is this about, Mr Speaker? Is this a legitimate exercise by the Australian Sports Commission to inform debate or is it them seeking to pursue a predetermined agenda to stop this government from building the road on the western alignment?

**MR SPEAKER:** Mr Pratt, would you like to ask a supplementary question?

**MR PRATT:** Yes, Mr Speaker.

**MR SPEAKER:** And once you have asked for it, would you like to listen to the answer?

**MR PRATT:** My supplementary is to the minister for sport, I think—I am not sure about that. Is it not the case that Eldemar has found that athletes have less REM sleep than other people? Does this not indicate that the noise disturbances caused by the western route, the noisiest of the two routes, going close to their dormitories whereas the eastern route does not, will cause acute disruption to sleep and, therefore, to their performance?

**MR CORBELL:** Mr Speaker, isn't it interesting that all of a sudden for Mr Pratt air quality is not an issue. All of a sudden air quality is not an issue because the report that they are relying on shows that the eastern alignment has the same air quality issues as the western alignment. But let us leave that aside and let us address noise.

Mr Speaker, as I have already pointed out to members, the clear advice I have from the Department of Urban Services is that, in the absence of clear data about the proposed vertical and horizontal alignment of Gungahlin Drive extension, it is extremely difficult to accurately predict noise impacts. And so the assertion Mr Pratt makes that noise is an issue is based on data that is erroneous, presumptive and hypothetical. Until the data is available from the government's engineering study on the vertical and the horizontal alignment of Gungahlin Drive extension, this study cannot purport to be an effective analysis of the noise impacts.

Mr Speaker, what is this study about? Is it a genuine attempt to try to inform the debate about Gungahlin Drive extension or is it merely a Trojan Horse to pursue an agenda that seeks to stop this government from building a road on the western alignment? That would appear to be the agenda of the Liberals, that would appear to be the agenda of their Liberal cronies in the federal government, and that would appear to be the agenda of the Australian Sports Commission if this study has anything to do with it.

### **Traffic and parking infringement notices**

**MRS CROSS:** My question is to the Minister for Urban Services, Mr Wood. Minister, could you please inform the house of the budget estimate for income from traffic infringement notices and parking infringement notices, and the year to date revenue from these fines?

**MR WOOD:** No, I can't. I take it you mean the current budget.

**Mrs Cross:** Yes.

**MR WOOD:** You might ask Brendan Smyth that—he put that into his budget some time ago. I certainly do not have those figures but I will be happy to provide them to you.

**MR SPEAKER:** Mrs Cross, is supplementary information required?

**MRS CROSS:** Yes, Mr Speaker. Thank you. Mr Wood, as you are unable to provide this information in detail, could you please table—

**Mr Stanhope:** Get the budget papers out and have a look.

**MRS CROSS:** Will we give you a little platform, Chief Minister, and you can finish my question? Could you please—

**Mr Stanhope:** It wouldn't be hard.

**MRS CROSS:** Are you sure? I don't know about that. Could you please table it then by close of business today?

**MR WOOD:** I will endeavour to do so, but I won't give you a guarantee on that.

### **Rental housing**

**MS DUNDAS:** My question is also for Mr Wood, but as minister for housing. I know you have been looking for housing questions, so here is one. Minister, as you would be aware, the Residential Tenancies Tribunal is funded solely by interest earnings from tenants' bond monies. Can the minister please explain why money is not recovered from landlords for the cost of operating the Residential Tenancies Tribunal, considering that most matters in the tribunal are brought by landlords?

**MR WOOD:** No, I cannot explain that. It does not seem a bad idea. I will have a look at the processes behind the funding of that, and the funding of other areas around providing support to tenants, and give a response in principle.

### **Government borrowings and debt**

**MR SMYTH:** Mr Speaker, my question is to the Treasurer. Treasurer, I refer to your document *2002/2003 Budget Consultation* that was released by your government on Maundy Thursday, 28 March 2002. A critical issue for the ACT under the previous government, under Mr Humphries, was the importance of managing debt levels very

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carefully. We, as the opposition, also need to be in a good position to monitor equally carefully the actions of your government with respect to borrowings.

Treasurer, in view of this, can you tell the Assembly, when total territory debt at 30 June 2001 was \$817 million, excluding financing leases—according to your government’s consultation paper—why the total liabilities for the ACT are shown as nearly \$2.7 billion in appendix G to the commission of audit report?

**Mr Quinlan:** I am not sure if I follow the question. There is borrowing and total liabilities. Is that—

**MR SMYTH:** Let me repeat it. Treasurer, in view of this, can you tell the Assembly, when total territory debt at 30 June 2001 was \$817 million, excluding the financial leases—according to your government’s consultation paper—why the total liabilities for the ACT are shown as nearly \$2.7 billion in appendix G in the commission of audit report?

**MR QUINLAN:** Well, loosely I could say that your total liabilities include more than your debt. I have not got the figures in front of me so I am just presuming that you are talking about a figure for debt, and that is external debt, as a function of borrowing versus the figure of total liabilities. Of course, as we know, the biggest liability for the territory is employee entitlements, and they are in excess of \$1 billion—off the top of my head, I have not got the numbers, so I can’t whack them up.

But in any balance sheet under liabilities you will find borrowings, you will find provisions for accrued leave and employee entitlements, and you will even find unpaid bills. You will probably find up there in your assets that you have probably got some cash to meet those unpaid bills. But very few things happen instantaneously, so there is usually a lag. So when you actually assess the business, there is a whole plethora of items that are actual liabilities that you carry. Am I in the right field, or—

**MR SMYTH:** Perhaps I will ask a supplementary question. You might choose to take it all on notice and answer more accurately. Mr Speaker, the supplementary is: are you confused between “debt” and “borrowings”, even though your government has used these words synonymously in the consultation document?

**MR QUINLAN:** Does this fall in the typo range?

**Mr Smyth:** No, it is whether or not you understand what the difference between debt and borrowing is.

**MR QUINLAN:** The semantic range? Debt and borrowings?

**Mr Humphries:** No. Debt and liabilities.

**MR QUINLAN:** Debt and liabilities. They can be different things, can they not? Is that what you want to know? Yes they can be different things.

**Mr Smyth:** But is that what you were saying in your document?

**MR QUINLAN:** I don't what the hell this question is about. We have somebody who doesn't know a lot about accounting trying to ask an accounting question. I am sorry, I—

**Mr Humphries:** Well, take it on notice and find out.

**MR QUINLAN:** Can I ask you to give me a question on notice. You can specify what you want—

**Mr Smyth:** You can take it on notice.

**MR QUINLAN:** I don't understand it.

**Mr Smyth:** Why don't you just take it on notice and read the *Hansard*?

**MR QUINLAN:** I don't know what you are driving at. In definitional terms, one can define debt in a specific way to say, "This is formal borrowings from somebody."

**Mr Pratt:** And it's bad.

**MR QUINLAN:** Yes, bad. And then you can have liabilities. Within your spectrum of liabilities you can have quite a number of things in respect of which you are aware and you know that at a future time you will have to stump up with some cash. Is it the function of formal borrowing? No. But is it a liability? It certainly is.

## **Racing industry**

**MR STEFANIAK:** My question is to the minister for racing. Minister, you have been reported in the media, and have spoken in this place, about the threats from New South Wales racing authorities to our racing industry in the territory. You have said that representatives of the New South Wales racing minister, the Thoroughbred Racing Board, the Australian Racing Board and the New South Wales TAB approached the then Chief Minister, Kate Carnell, about three years ago with their concerns about sports bookmakers and you implied that the then Chief Minister did nothing about the issue.

Minister, after your much-vaunted negotiations with representatives of the New South Wales racing minister, the Thoroughbred Racing Board, the Australian Racing Board and the New South Wales TAB, didn't you discover what we on this side already knew, and that is that New South Wales will only be satisfied with a complete shutdown of the sports betting industry in the ACT?

**MR QUINLAN:** First of all, I have to say I don't think I said that the Australian Racing Board came down—they may have. Certainly, New South Wales TAB and Sky Channel representatives came down and I think that is what I would have said back then.

As to what is the reasoning behind it, every now and then we have a little muse and we think, "What is this all about? Is it not necessarily a case of New South Wales wanting to close down all sports bookmakers in the ACT?" I am sure they would be happy if they could. Equally, I think New South Wales TAB Limited, now privatised, would be very happy to acquire our TAB. I cannot ascribe motives to anybody and I am working through this trying to understand the real dynamic.

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Racing is a funny business, as are the relationships that work there. But, certainly, if New South Wales does not close down sports bookmakers in the ACT, what it would want is some form of repatriation of some of the turnover tax of betting to the point of origin of the bet and to the jurisdiction where the actual race takes place. So it would be looking for, if you like, abandonment of the gentleman's agreement where everybody just took their own.

That is what they are claiming. At the same time, I have information in front of me that tells me that, in the overall context, New South Wales is a net importer of racing product in terms of the amount of punt that they get through their TAB Limited, and how much of it relates to New South Wales racing versus that outside. So maybe Mr Face isn't on the ball or maybe that is not what he is after either. So exactly, I am not sure. I might know a little bit more by the next time we sit because I am off to Adelaide tomorrow for the ministerial council meeting of racing ministers, and a number of papers put forward, certainly by New South Wales and Victoria, incorporate this repatriation process.

A small jurisdiction like the ACT is very much likely to be a net importer. When the guys sit around the pub or they go out to our race meetings, or they go to the auditorium in particular, they are more likely to bet on races outside the ACT than they are on the ACT races. So we in the ACT are a net importer of racing and, depending on the view you take, we could be seen as, excuse the pun, riding on the back of the other jurisdictions. But, at the same time, I think the ACT makes a tremendous contribution to the racing industry in New South Wales. It makes a tremendous contribution to racing in this region. As you are well aware, it has produced some damn good trainers, a few really good horses, two Golden Slipper winners—only one got knocked off, so it was only 1½, really.

So I cannot answer your question specifically, but we have certainly had some speculation as to the motivation. If you take away all the Machiavellian stuff, you have to say, "Look, there is a genuine concern here." If you get the large proprietary bookmakers, someone like Ladbrokes, coming into Australia, setting up, say, in the Northern Territory, they could, with modern communication, quite effectively compete with and have great advantage over the TABs and the structure of the TABs around Australia. That would cost governments money in turnover tax. It would also cost the industry itself money in terms of the racing development fund and we could be headed towards the British situation, which is now described as "racing for ribbons". That is what the English racing industry has come down to, because the betting process is quite independent of the production of the product. In Australia we have had cross-subsidy and we will need cross-subsidy to have quality racing. I hope we can come to a commonsense solution over the next few days.

**MR STEFANIAK:** Mr Speaker, I have a supplementary question. Minister, isn't the Thoroughbred Racing Board, which is one of the organisations that were so critical of sports betting in the ACT, the same Thoroughbred Racing Board that last year bent its own rules to allow the readmission of Robbie Waterhouse as a bookmaker?

**MR QUINLAN:** Yes, I think that might be the case, but, of course, I think they now regret that. But I cannot answer for them, and I am not going to malign people or examine their motives. At this stage my main focus is trying to make sure that the

various sanctions that have been bandied about in relation to the ACT racing industry are not imposed, and that we do not have to end up in court fighting against discrimination in respect of access to Sky Channel or the broadcasting of races, or of the access that ACT horses, jockeys or local trainers have to race elsewhere in Australia or vice versa. All of this can be pretty mucky stuff.

The papers that I have for the council meeting indicate that we have maybe moved away from some of those dire actions towards a more sensible solution. But from the papers that have been put forward, the solution looks like being to virtually dismantle the gentleman's agreement and to involve ourselves in this tax repatriation, which is going to cost a motser just in administration. I am not really going to malign the Thoroughbred Racing Board or anybody else—what I have said are just musings.

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

## **Papers**

**Mr STANHOPE** (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women): Mr Speaker, yesterday I undertook to provide additional information to two questions that I was asked—one from Ms Dundas in relation to the sale of tobacco to minors and other from Mr Smyth in relation to after-hours care. For the information of members, I present the following papers:

Compliance testing—Answer to question taken on notice asked by Ms Dundas, dated 14 May 2002.

Health—Emergency Services—Answer to question without notice asked by Mr Smyth, dated 14 May 2002.

## **Consolidated financial management report Paper and statement by minister**

**MR QUINLAN** (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (3.35): Mr Speaker, for the information of members, I present the following paper:

Financial Management Act, pursuant to section 26 (3)—Consolidated Financial Management Report for the financial quarter and year ending 31 March 2002.

I ask for leave to make a brief statement.

Leave granted.

**MR QUINLAN:** I have tabled the March quarterly financial report. I can advise that the projected bottom line for the current financial year in that report is a surplus of \$18 million.

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Before you get too excited, firstly, \$12 million of that relates to a previous year's land sales. Secondly, it presumes there will be a recovery between today and 30 June in relation to our off-shore investments. The last assessment I have is that we are negative \$20 million. Those estimates include an estimate of zero.

That is generally based on the phenomenon that is called window-dressing, where some companies, at the end of a financial year, buy very few stocks—sometimes at inflated prices—with a view to revaluing stockholdings upwards, ostensibly at market price. This is a phenomenon which I believe the Australian Stock Exchange is concerned about. I do not know whether that will happen again this year or not—we will have to wait and see. Secondly, there may well be recovery between now and the end of June. So we are running pretty well. By dint of the \$12 million—unaccounted for the previous year but accounted for this year—we are running at about line ball. That is pretty well the case that we have seen over the last few months.

I move:

That the Assembly take note of the paper.

**MR HUMPHRIES** (Leader of the Opposition) (3.38): I thank Mr Quinlan for moving that motion. Mr Speaker, I note that the result for this year to date is estimated to be \$18.5 million. In light of what we, on this side of the chamber, have said, it does not come as a great surprise that that is the case. I notice, from looking at the figures, that the result for the March quarter is a surplus of \$31.3 million.

Mr Quinlan is telling the house that he is not sure about the \$18 million—he is not sure whether we are going to sustain that. He obviously expects that, between March and June, there will be some decline in the bottom line.

If I might offer the benefit of my experience, the outcome in previous years was almost invariably that the result between March and June would improve, often very substantially. In fact, it was often in that period that the figures for the available revenue, in particular, would mount up in an almost dizzying way. From reading those figures, I would estimate that the end of year outcome is going to be above \$18 million or even above \$31 million, not necessarily below it.

I note Mr Quinlan's comment that this figure is due to a number of things. One is that he says it still depends on getting a nil return from our overseas investments. I do not know what the markets are going to do in the next few months—I do not know what the outcome will be. It would not surprise me if they were better than earlier forecasts, but that is a matter for the markets to work out. We cannot influence them much from our little vantage point in the ACT.

We have always made the point that overseas investments are one thing, but there are other factors as well which have a bearing on the ACT's bottom line—in particular, things like revenue. The ACT should be expecting extremely good revenue in a year in which our economy is booming. When the economy is booming, you expect better than normal results for revenue—nothing to do with overseas investments. That is why the ACT should look for a very healthy bottom line this year.

Even if our overseas investments are nil, we are seeing already, with other results, much better outcomes than expected. We should be looking at a result at least as good as the \$12.3 million that was put forward in the budget for this financial year, brought down in May last year. We have already heard that, in one item of government revenue alone—conveyancing stamp duty—the increased revenue is \$40 million.

Mr Quinlan also points out that there is a \$12 million item brought forward from a previous year. Apparently that was revenue not collected in the previous year but collected in this year. That may well be the case. You could even say it was an abnormal item—the kind of abnormal item that Mr Quinlan suggested ought not be taken into account, with things like the \$344 million figure with which we are so familiar in its place.

Mr Speaker, whatever the ins and outs, I think this figure is pointing very clearly in one direction—that this territory will not be in a loss this year, that there is not a dire financial situation to face, that there is no black hole, and that there is consequently no pretext whatsoever for the government to be looking at a slash and burn budget. It faces a very bright situation, and the financial outlook is very strong.

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

## **Questions without notice**

### **Gungahlin Drive extension**

**MR CORBELL:** Mr Speaker, for the information of members, I have some additional information on the Eldemar report, which Mr Pratt asked me about in question time today. The report also makes some assumptions about prevailing noise and air quality conditions. The report assumes that prevailing noise and air quality are satisfactory, without undertaking any assessment of ambient conditions. The air quality comments in the report are based on information that is now more than five years old. No attempt has been made to update this information.

The report also makes conclusions about noise and air quality which have not been substantiated by accurate information and detailed investigations. The government is carrying out the work necessary to produce findings that are based on accurate and detailed research.

## **Mental health facilities**

### **Discussion of matter of public importance**

**MR SPEAKER:** I have received a letter from Mr Smyth proposing that a matter of public importance be submitted to the Assembly, namely:

The need for the ACT Government to provide a much wider and comprehensive range of mental health facilities in the A.C.T.

**MR SMYTH (3.43):** Mr Speaker, this is an important issue for the community. It is the community who have been driving the discussion on the types and range of facilities required for mental health in the ACT. I want to start by putting on the record some of our achievements in the last two terms of government. That saw places like I'Anson

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House, Hyson Green and Hennessy House come into being. Even though there were difficulties in the staffing of Hennessy House, the intention was always there.

In the budget for the current financial year, there are programs worth \$1.6 million directed towards assisting those with a mental health problem. But that is not enough, and it is not where we intended to leave it. Part of our continuing strategy to address the needs of those with mental health difficulties in the ACT was to build on this foundation. Part of that would have been answered in the construction of a prison with a forensic unit. People, including the Canberra Schizophrenia Fellowship and the Chief Magistrate, Ron Cahill, are calling for that.

Even better than dealing with people who reach the criminal justice system is the concept of early intervention. "Prevention is better than cure" is a line that is often used. When I talk about a time-out facility, I speak about people who, through a difficulty caused by a mental health problem, come to the attention of the law being treated in a different way.

This is important, firstly, because we need to make sure they get the care and attention they deserve. We should not lumber them with an additional burden that complicates the person's life and the lives of those around them. Secondly, in my belief it is not appropriate, where it can be avoided, to put people with a mental health difficulty into the criminal justice system. Hence the time-out facility. If the government had bothered to read some of the consultation documents that were put to the health committee, they would understand where this has come from.

Several of the documents put to us in the health budget consultation talk about a safe sobering-up place which includes clinical supervision. I spoke with people with an interest in mental health and asked what they thought the concept of the sobering-up place should be. Their first reaction was simply: "Look, we are not really happy with the sobering-up place. The old sobering-up place used to be somewhere where a person who was intoxicated could be taken. When they sobered-up, they went home."

This is not necessarily the difficulty—although alcohol has a role in this—faced by those with a mental illness. Perhaps I can illustrate this through a story related to me numerous times by people in the mental health field, police officers and families.

When someone with a mental health problem, who goes off their medication—either because they are feeling good or because of circumstances—finds themselves upset, it is called a disturbance. The normal process is to call the crisis team. The crisis team may or may not arrive, but the police may also be called. The police often arrive first. People in an agitated state, when confronted by a police officer, sometimes do things they will regret. The difficulty for the police officer is that he or she has to take some action.

The normal action is to take them to hospital for assessment. The police tell me that, time and time again, the hospital is full. They say that, when they arrive, the person has either calmed down, or is able to convince the people at the mental health unit of the hospital that they are okay to go home, and the person is released. However, they come to the attention of the police again when they get home.

In many cases, push comes to shove. If they shove a policeman, they often find themselves in the back of a paddy wagon. They are then taken to the watchhouse, where they may be charged. They may end up in the BRC—and that is not where they should be.

Police officers have told me that people as diverse as the Mental Health Advisory Council, the Schizophrenia Fellowship, the Mental Health Network, and the Mental Health Carers Network of the ACT all talk about a sobering-up facility.

In consultation with the community, they said they were not happy with the term “sobering-up” because it did not apply to somebody who needed to be helped, over a two or three-day period, to get back on to their medication and get some counselling—or further assistance for their dilemma. The community came up with the concept of calling it a time-out facility. So, instead of being taken to the watchhouse and ending up in the BRC, you would take some time out to get back into a normal routine that may put you back where you belong. You may end up on remand in the BRC, but, through another part of the suite of facilities those with mental health difficulties deserve, there would be an attempt to make sure that does not happen.

Such a facility could also be used for respite care for carers. The government made great stock of saying they will put extra money into respite care, and we welcome that. I am glad to hear that the potential for the budget at the end of the year is \$31 million of unexpected money, which may lead to extra services. People want the option of respite care for those who care for somebody with a mental health problem.

You could help people in developing life skills, or you could help them get their medication regime back to where it should be. You could perhaps put a few square meals into them and then reintegrate them into the community with their friends or family, where they should be.

However, from the government we are hearing a litany of stalling tactics. They are simply not listening to the community. Until last night, they were not willing to concede that perhaps this was a good idea. The Minister for Health has systematically failed to answer this challenge. The initial reaction from the minister for corrections was that no way would we get a time-out facility. “I am building a \$3 million fence around the problem rather than looking at the root cause of the problem.”

I was accused of making a gaff because there is Hennessy House, and these people could go there. There is a problem with using Hennessy House. It is designed for those with a medium to severe long-term mental disability, and that is where they should be housed. You cannot divert from Hennessy House. They got that wrong.

Then I did not know my facts and figures, apparently, so I asked for the facts and figures. It is interesting to look at Mr Quinlan’s set of figures. Mr Quinlan could not answer the question as to how many people in the remand centre had a mental health problem, but he could tell me the number of services provided. I will read them from July 2001 forward. In July, there were 188 different services.

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To give Mr Quinlan credit, he did explain that a service may be as simple as a telephone call, or all the way through to a full mental health assessment. But they could not tell you how many remandees in the BRC might be there inappropriately, at any time, who should perhaps be somewhere else.

The number of services provided in 2001 were as follows: July, 188; August, 379; September, 216; October, 346; November, 282; December, 134; January, 244; February, 224 and March, 194.

Mr Speaker, those figures tell me that there are a number of people in the BRC who perhaps could be better dealt with somewhere else. The irony of it is that, if you listen to Mr Stanhope, there are only six of them. I refer to his press release, entitled "Smyth wrong on time-out facility". The absentee Minister for Health has finally managed to put out something on mental health and enter this debate. Although it is two months late, it is welcome.

He says that, of the 35 current referrals to the ACT Forensic Mental Health Service Unit, 29 are out on bail, so there are only six people in the BRC with a mental health problem. That flies in the face of what the community and, for example, the Schizophrenia Fellowship is saying.

On Friday, the Schizophrenia Fellowship put out a document which calls for two facilities in the ACT. One is a short-term time-out facility and the second is a forensic mental health treatment facility. I will come back to that later. I want to refer to their figures, because what they have to say is interesting.

They say that about 15 per cent of people in the BRC suffer from major mental illness. They say about 90 to 100 per cent of people in the BRC have substance use disorders, and 90 to 100 per cent suffer from a large number of personality disorders. More than 50 per cent of detainees meet full criteria for either anti-social or borderline personality disorder, or both. They claim that more than 50 per cent of detainees show some sign of brain damage. They go on to say:

If one were to include the minor mood disorders, anxiety disorders and other personality disorders in with the major mental illness, one reaches a figure in excess of 50%. Adding substance abuse to that mix virtually gives a figure of 100%.

Mr Speaker, here we have evidence, from different groups, that seems to be in conflict. I have no doubt that the officers working in the field of mental health in the ACT do everything they can to look after their clients—and I have to admire them. It is not a field I would be very good at or aspire to work in because I do not think I have the skills for it. Those who do so are deserving not only of our praise, but also of our support.

That is why, when we were in government, we increased the vote to mental health. It went up by something like \$1.6 million last year through various programs. I welcome the Chief Minister's announcement that they will put another \$1 million into mental health; that is good. But that is what happens when you make up operating losses of \$344 million: you can then spend that money on the community.

The community is very interested in this issue. For the benefit of members who have not received the invitation, next week, 19-26 May, is Schizophrenia Awareness Week. The Schizophrenia Fellowship are holding a forum called "Responding to the crisis in mental illness". There will be a discussion from 5.30 to 7.30 on Monday night, which will, they say, be "led by speakers from the police, the crisis team and the Magistrates Court. Find out about the time-out facility". So, it is not just me that is calling for this; I called for it on behalf of the community because the community have been telling me that is what they want.

If Mr Stanhope actually met with the community, he might hear these words for himself instead of hearing them relayed through me. I know several groups have attempted to speak to him and have yet been unable to secure appointments or are yet to have an appointment. You have to ask: what is it that the government has been doing?

The point here is that we have a foundation, and we need to build on it. Mr Stanhope's own press release of about a month ago claims—and I have no reason to doubt it—that one in five Canberrans suffers from some sort of mental health dilemma. With those figures before us we need to be looking at solutions. Let us have the time-out facility the community is asking for instead of putting a \$3 million fence around the problem in what Mr Quinlan himself calls a band-aid and temporary solution. He himself said he would much rather spend it on health or education. Well, here is an opportunity to spend it on education and divert some of the people who do not need to be in the BRC away from it.

This is the high-use, high-care end of the spectrum. There are other programs that we need to put in place, and what I look forward to seeing when the government put their budget down is an array of programs that look at early intervention and prevention and cover the whole spectrum of mental health difficulties, from the minor to the extreme. It is time the government listened to the community and made a decision.

In his press release of this morning, Mr Stanhope says that it is not for him to lead the way. He says that nowhere else do they have a separate forensic or mental health system. It is interesting that he raises this. He says:

Options for dealing with forensic mental health patients will be considered as part of the work the Government is doing on the ACT's correctional needs.

This is the logical and efficient process.

But I would challenge Mr Stanhope to come up with something different. I would challenge the health minister not to follow the lead of the other jurisdictions but to make sure that we, as a jurisdiction, lead the way. The ACT can lead the way in this by providing a series of programs. But it is also about providing a suite of facilities that meet different needs at different times that the community says they want.

On a final point, the Chief Magistrate is now saying that we need the forensic facility. The forensic facility should have been addressed under the ACT's correctional needs. We would have addressed it. I want to make sure that those opposite, when they come up with their policy, address it as well.

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**MR STANHOPE** (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women) (3.58): This is an extremely important issue, and it needs to be acknowledged that in bringing it forward today, Mr Smyth is tacitly acknowledging his government's failure in this area. He is acknowledging that the Liberals failed.

Isn't it rich that Mr Smyth, as a previous minister for police, with a born again vision of the needs of mental health people, suddenly discovers, after seven years in government, that there are a significant number of people in this community who have mental health issues. It is a catharsis for Mr Smyth to discover this after seven years of inadequate response to people with mental issues, seven years of ignoring the problems and the gaps, seven years of doing nothing. All of a sudden, Mr Smyth is there urging the new government to do something—a government committed to the disadvantaged in the community; a government committed to doing something about people with mental illness.

I will finish on the retrospective point that Mr Smyth applauds the fact that the previous government initiated the development of Hennessy House. They did that, and we do remember Mr Moore opening it with great fanfare in the middle of last year. But it was then left to this government to settle the nurses dispute so we could get the house started. Hennessy House lay idle and empty for six months because of the mess that you made with health generally. You created such turmoil in the system that you could not start it, and it sat idle and empty until we could resolve that dispute.

To some extent, Mr Smyth, I admire your honesty and the fact that you are prepared to be so candid about your own failings. Your preparedness to be candid about your own failings is all the more remarkable given the fact that you are a one time minister for police and had a particular interest in and responsibility for the interface between people with a mental illness and the criminal justice system.

Once again, of course, you did nothing, but I acknowledge your courage in admitting that, as minister for police, with direct responsibility for the actions of police and the level of their training, you did absolutely nothing. You did absolutely nothing as minister for police in relation to this area.

So we have this sudden new-found enthusiasm for issues affecting people with a mental illness.

**Mr Smyth:** You seem to have lost your enthusiasm.

**MR STANHOPE:** Lost our enthusiasm? Nothing like it. We recognised the gap. We committed an additional \$1 million straight up in the first budget—over and above existing expenditure. That is something you were not prepared to do. That is what we committed to this issue. We recognised the gap, and we moved. You were judged on the basis that you did nothing. That is why you were kicked out; that is why you were flogged; that is why you were rejected. You did not care, and you did nothing about it.

So here we are cleaning up your mess—just as we are cleaning up the mess in disability services. And look at the mess you left us in mental health as well. The proof of that is in the national report on government service for the year 2000, which showed that

Mr Smyth's government had the lowest per capita expenditure on mental health of any state or territory. That is what the record shows: a government that failed explicitly. That is why we are keeping to our commitment of an additional \$1 million for mental health. It is not a question of spruiking or empty rhetoric: we are doing it, we are committing, and we are going to deliver.

This new approach of Mr Smyth, the time-out facility, dangerously ignores—this is another major failing of the last government—the extent to which it ignored what was going on at the Belconnen Remand Centre. To some extent this debate is as much about the Belconnen Remand Centre as it is about an additional facility for people with a mental condition or illness. It is about the Belconnen Remand Centre because it is so dangerously run down and overcrowded that no government that takes seriously its duty of care to people who are incarcerated can possibly allow the circumstances that we find at the Belconnen Remand Centre to persist. That is the blunt truth of this matter.

The advice that this government has had from its officials and advisers on the Belconnen Remand Centre is that it is unconscionable to continue with the centre as it is and that it needs urgent attention. We do not want to commit funds to the Belconnen Remand Centre as a temporary or band-aid measure. We are advised by our officers—just as we know you were advised—that it is unconscionable to leave that place in the state that it is in. Any government that does nothing cannot pretend that it is meeting its duty of care to people we incarcerate, even as remandees. Those are the circumstances we find ourselves in; that is the environment we are in.

We were faced with unambiguous, direct advice, from the head of the department of justice, that you have no option. A government that does not move on this issue is a government that cannot stand here and claim to have met its duties and responsibilities. You left us no option. After seven years of neglect at the Belconnen Remand Centre, you left us with no option. You left us no room in which to move. We simply have to respond to what we find at the Belconnen Remand Centre. You cannot talk about putting a fence up around the periodic detention centre as some sort of band-aid. It is a critical response.

**Mr Smyth:** Your own minister said it.

**MR STANHOPE:** Yes, I regret that we have got to use \$3 million in a less than efficient way to resolve a problem that you left us. I am happy for Mr Keady to come to estimates and to talk chapter and verse about the Belconnen Remand Centre. I am happy for the head of corrections to come and talk about the Belconnen Remand Centre and how untenable the situation is there. So do not confuse these two issues. We have no option but to do what we are doing in relation to the Belconnen Remand Centre. You left us no option. You left it so late.

**Mr Smyth:** You stymied our attempts to build the new facilities.

**MR STANHOPE:** Your band-aid measures at the Belconnen Remand Centre—

**Mr Smyth:** You are politicking.

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**MR STANHOPE:** This is the hoary untruth that you perpetuate. You could not, under any circumstances, have completed construction. You did not even intend to complete construction of the prison for three or four years, even if you had found the money, which I can tell you now you could not have. You would not have completed construction.

Were you going to leave the Belconnen Remand Centre as it was for another four years in the face of advice, which I know you received, that it was simply untenable and unconscionable to do so.? Is that what you were going to do? Were you going to leave that place for another four years without addressing the palpable inefficiencies that are there and the palpable dangers that exist in such a chronically overcrowded, ill-conceived and malconstructed maze of cells and holding places?

The advice we have is that it is not an option. The top line of the advice, the middle line of the advice and the bottom line of the advice that we received is the same as the advice you received: doing nothing is not an option. So we are responding to that. This whole debate has to be conducted in the knowledge that we have to fix the Belconnen Remand Centre, and we are.

The other issue you raise is the number of people who are incarcerated that have a mental condition or a substance abuse issue. They are connected in so many cases. As the Schizophrenia Fellowship will tell you, 80 per cent of people who have a diagnosed clinical mental condition have a substance abuse problem: the classic dual diagnosis issue. This is a figure that the department of health does not dispute—80 per cent of people who have a mental condition that they have to deal with in their daily lives probably abuse a substance. It is interesting. We all know that probably 80 per cent of the people at the Belconnen Remand Centre have a substance abuse problem. So if 80 per cent of the people at the Belconnen Remand Centre have a substance abuse problem, we will not be surprised that the same number have a mental condition that presents in one way or another.

We have known this forever—those of us who have taken an interest in substance abuse and how to deal with it, in mental illness and how to deal with it and in the interface between people with substance abuse problems and mental conditions and the police and the criminal justice system. That is why some of us are determined to pursue progressive drug law reform agendas—we know about these issues. That is why we are determined to do something about them. That is why, after seven years in government, it is the height of hypocrisy for anybody in the Liberal Party to start lecturing us about what we need to do about people with substance abuse problems and people with mental illness.

It is refreshing, with the change of government, to have a government that is prepared to tackle these issues head on. We understand the basis of the issues that lead people with a dual diagnosis to end up in our jails and remand centres and what brings them into contact with the Australian Federal Police.

There is a whole range of things we need to continue to do. We need to ensure that each of the officers of the Australian Federal Police is fully trained in the needs and behaviours of people with mental illnesses, how they present and what the appropriate responses are. I have no doubt that there is a higher level than before of understanding and training in our police force in relation to these issues. I am pleased that the more-

often-than-not response of a police officer in the ACT to a person presenting with what they think is a mental illness is to take that person to the psych unit at the Canberra Hospital.

We are pleased at the relationship that has developed between the Australian Federal Police and the crisis assessment team, but there is more that could be done. There always is. There is never enough money for these issues; we know that. But the response is not just to build another facility and go out on this campaign like a knight on a white horse suggesting, "If we built a time-out facility we would solve all our problems. We would not have this problem at the Belconnen Remand Centre if we could only build a time-out facility."

Mr Smyth's suggestion that we need to run a subsidiary or second correctional system is very novel. "We do not need just a prison; we need a forensic mental health facility as well. We are not building just one new facility to deal with forensic mental issues; we are going to build two." But I am pleased that at least the opposition now acknowledges that the range of people who come before the courts and the criminal justice system is a significant issue. The jails are full of just these people. What are you going to do about them? We have got 170 people in New South Wales prisons, and the same percentage of those people have these same conditions. They present in exactly the same way.

**Mr Smyth:** We were going to address it with the prison we would have built—the prison you won't build.

**MR STANHOPE:** You were going to build a prison for them? So you weren't going to build a time-out facility for them; you were going to build a prison for them?

**Mr Smyth:** A prison you are avoiding and delaying, making sure there is proof.

**MR STANHOPE:** I see. Mr Smyth was going to mainstream the forensic mental health needs. He was going to do it within the correctional system. So Mr Smyth's model is a remand centre, a time-out facility and a prison. So you have a time-out facility for people who are on remand, but people who have already been sent to jail with a mental health condition you bung in prison. You leave them there, and you deal with them in prison. You mainstream them, as we currently do.

So Mr Smyth has an interesting structure here. A remand centre and a forensic facility, which he calls a time-out facility but is actually another jail. It is a jail for people with a forensic mental health condition. That is what it is. Mr Smyth is now suggesting that people who have been remanded in custody who have a mental health condition do not need to be remanded. They are going to go to a mental health facility; they are not going to go to a correctional facility; they are not going to be actually locked up.

He goes further than that. He is not going to do anything within the mental health system about the 80 per cent of people he has identified who are in prison or who get imprisoned. He is not going to provide a separate facility for them to allow us to deal with their mental health issues. This is a simplistic piece of nonsense. It is grandstanding nonsense by an ex-minister with responsibility for these issues who did nothing in seven years and who is now in opposition and uses this sensitive issue of the needs of people with a mental illness to grandstand. This is appalling politics by you, Mr Smyth.

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**MS TUCKER** (4.13): The Greens certainly welcome the opportunity to talk about mental health facilities in the ACT, but there is obviously too much to talk about in the time allowed for an MPI. In this debate today I want to highlight how much of this work had been identified as urgent in the past and to suggest a couple of improvements that could be made without necessarily allocating more money, although some do require resourcing.

It is true that the previous government has to take responsibility for the situation we are in. Having said that, I will, hopefully, move on to something more positive. But I do want to briefly cover the historical context of this debate. I have been closely watching the issue of mental health and services for people with mental illness, in particular since 1997, when I chaired an inquiry of the Social Policy Committee into the adequacy of mental health services. Even then, in 1997, we made recommendations which were prefaced “as a matter of urgency”. That was then, and I have been saying those things in the Assembly since that time.

So it is with a sense of frustration that I find us still having to debate this issue. There is a new government here. They have an opportunity to make a difference; Mr Stanhope has said he will. I sincerely hope that we see an improvement because it is sorely needed. I am glad Mr Smyth is taking an interest now. I acknowledge he had some responsibility through his police portfolios, but he was not minister for health—I am trying to be fair here. Perhaps we will see something different, although it seems as though in opposition the Liberals have quite a different position on a number of issues.

As I said, in 1997, as a matter of urgency we asked that the ACT government, in collaboration with non-government service providers, develop an action plan to address the issue of lack of services for people with dual or multiple disabilities, especially those with substance abuse and mental health problems. We had a working group on that, but the recommendations and subsequent reviews of the work of this group show there is a long way to go and that little has been achieved.

We asked them to establish a secure facility for people with mental illness who require non-voluntary accommodation. There were recommendations to improve psychiatric care and forensic psychiatric services at Quamby and at the Belconnen Remand Centre, and we said at that point that any assessment of the need for an ACT jail should consider inclusion of a best-practice, forensic psychiatric facility, to be administered by the health portfolio. So they are not new issues.

In fact, I moved a motion of no confidence in the then Minister for Health, Kate Carnell, for her failure to adequately administer the health portfolio in two areas in particular: disability services and services and facilities for people with a mental dysfunction. During debate on that motion, I did talk about the concerns raised in the community about the decommissioning of the former Hennessy House, which you have recently seen recommissioned after much delay and, more importantly, after much unnecessary suffering.

In that debate, I brought up an example of a constituent who was looking to get care in the community for her son who had recently returned from Kenmore. I quote:

This whole discussion about how this concept of de-institutionalisation has been used to justify inadequate services and cost-cutting comes up over and over again.

One constituent I spoke to recently told me about her son who has recently returned from Kenmore. She is no longer able to care for him; she is extremely fearful for his welfare; and she is very desperate. Hennessy House would be appropriate but, she has been told, there is no room and there is a waiting list. I can tell you that she is not too impressed to hear that the Chief Minister believes this facility is an institution, and therefore is inappropriate. “What is appropriate”—this mother asks—“to be homeless, to be in a refuge, to be in gaol, to be admitted to hospital in crisis because the support was not there?” The attempt to use de-institutionalisation in this way followed a series of similar attempts to misuse important concepts during the debate on group houses.

That is from 1997. I note with great regret that the discussion we are still having today is still about the appropriate place to put people. When we talk about facilities, I want us to also consider the quality of facilities, their stability and the process of feedback for ensuring quality care.

The Canberra Schizophrenia Fellowship’s proposals for a time-out facility and for a separate special purpose forensic treatment facility have recently been championed by Mr Smyth in a slightly confused manner—which just came across in Mr Stanhope’s response. I think the suggestion from the Canberra Schizophrenia Fellowship has been misunderstood.

There is an urgent need to deal with overcrowding in the Belconnen Remand Centre. Making this overflow facility a special purpose forensic mental health facility would be one way to relieve the pressure on that facility—and the additional pressure on the people remanded there and the staff—while simultaneously improving the way people with a mental illness are provided for in our community.

It sounds an interesting proposal, but that is different to the time-out facility that has been proposed. The time-out facility proposed is for a safe, supportive, secure facility capable of handling short-term, non-voluntary admission for treatment and counselling. The proposal is for a focus on dual diagnosis clients who are having a substance abuse related crisis—mainly because the psych services do not accept people in this situation. This would provide somewhere for people to go short term, somewhere for the Mental Health Tribunal and magistrates to refer people to and some respite for the families.

That is how I understand the proposal from the Schizophrenia Fellowship. Respite was a recommendation also of the Social Policy Committee in 1997, and we had another whole inquiry in the last Assembly on respite.

There is also a bit of confusion about the role of the recently re-opened Hennessy House. It is not a forensic mental health facility. That is, it is not intended to be used as part of the corrections system. One of the first people to be admitted to Hennessy mark 2 was someone who had been kept in Belconnen Remand Centre because there was nowhere else for him to go. But, as I pointed out, these ideas for specific purpose correctional facilities for mental health are not new.

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Another issue that has been raised over and over again is the role of carers in the psych care unit. They need to be consulted and kept informed. That needs to be done sensibly, not marginalising the person with the condition but making sure everyone who is concerned with the person's welfare is kept up to speed on what is going on. There are other issues being raised about the psych unit and current and past coroners inquiries.

In the general submission that came to the government and to the health committee from the Mental Health Advisory Council there is a very comprehensive analysis of what needs to happen—which I understand Mr Stanhope is looking into—and a very clear list for action and for progress. There were still concerns about complaints and the following up of problems, including deaths. In that submission from the Mental Health Advisory Council that I just referred to, there was a proposal that we look at all the recommendations that have come out of coronial inquiries and check what has happened with them. I have an idea that you will see duplication in a lot of those recommendations and that they have not in fact been acted upon.

The reality is what parents have said to me, “We have lost our child, we have gone through this coronial process, we have seen the recommendation and we want at least to know that the loss of our child—young adult—is not going to happen to someone else for the same reasons.” That is the painful reality of discussions that I have had with people in Canberra. I asked them to talk to Michael Moore and say exactly the same thing, and they said it. I was there at the meeting.

It seems to me incredibly disrespectful that we have had to go through this many years of seeing people dying, with no real sense in the community that it is being picked up. This is an extremely serious matter of public importance, and I cannot stress that enough. It is one of the things that I am desperately hoping to see this government pick up because, as I said, it has not been picked up in the way that it should have been over the last seven years.

I understand that the complaints commissioner is doing his own inquiry at the moment, so that is under way as well. Services must be run in a way that places the needs of people with mental illnesses and input from them and their carers at the centre of the treatment and at the centre of respite care. Further, their feedback and complaints need to be incorporated into the system, and this needs to be responsive.

I cannot speak any more on this now, although there is a lot more I could say. I want to stress again that we do need to see this area given serious attention by the new government and I look forward to seeing how they do that.

**MRS CROSS (4.23):** The growth in awareness of mental health issues within the community has been gradual but encouraging. Thanks to community education campaigns in recent years, those with a mental illness are better understood. Sufferers are becoming less stigmatised as being grossly abnormal or a danger to society. Rather, those with a mental illness are increasingly being seen as having a medical condition that is treatable. Thankfully, the old asylums have long gone and medical science has overtaken superstition and old wives' tales.

Mr Deputy Speaker, the one concern that I wish to bring to members' attention today is the link between mental illness and suicide. Data from the Australian Bureau of Statistics shows that a diagnosed mental illness has been the predominant cause of suicide in Australia since detailed statistics were first collated on this in 1997.

I believe it is something of a myth to think that talking of suicide or asking someone if they feel suicidal will encourage suicide attempts—in other words, that people who are depressed may begin to think suicide is an option for them. Talking about suicide provides the opportunity for communication. Fears and difficult situations are more likely to diminish if shared. The first step in encouraging a suicidal person to live comes from talking about feelings. That first step can be the simple inquiry about whether or not the person is intending to end their life.

However, talking about suicide should always be carefully managed. The truth is that suicide can be prevented. Suicide is a permanent solution to what is usually a temporary problem. Suicidal crises can be relatively short lived if the right people, services and facilities are available. People can be helped, but there needs to be a strong commitment by government to help them.

There is a lot of misunderstanding about those who suffer from a mental illness. One of the greatest yet most unfounded fears the community has is that they are in danger from those with a mental illness, a notion that is probably fuelled by the American movie industry. Scientific studies are increasingly breaking down that misunderstanding.

One such study, conducted by the Australian Criminology Research Council in 2001, showed conclusively that people with major mental disorders, including schizophrenia, are no more likely to be violent than anyone else in their neighbourhood. While this is comforting, the study showed that those with a mental illness who also had a problem with substance abuse did pose a greater threat to safety, which highlights the growing need for a multipurpose facility that can cater for dual diagnosis.

In response to the Chief Minister's outburst, my answer—and for that matter, the proof in the pudding—is as follows: over the last seven years, the former Liberal government were responsible for I'Anson House, Hyson Green, Hennessy House and \$1.6 million of programs in this year's budget. We are aware that this is a very difficulty portfolio, but this is one of the most important sectors in the community. I am sure that Mr Stanhope is now aware that it is very easy to criticise in opposition, but it is a very different thing to have your hand on the tiller. We look forward to the government's first budget.

**MS MacDONALD (4.27):** In rising to speak on this matter of public importance, I would like to start with my personal experience. My mother, who lives in Sydney, has manic depression, more recently called bipolar disorder. Many have been the times I have sat in doctors' and hospital waiting rooms. Many have also been the times that I have sought assistance and solutions to the problems associated with living with a person with a mental illness. I would say that many have been the times that I have been disappointed—disappointed that, for every solution that was found, there was already another problem and disappointed with the less than holistic approach of the people operating services within the mental health system. The Chief Minister said before that it is an area where there will never be enough money, and that is unfortunate.

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Mr Deputy Speaker, I listened with interest to Ms Tucker's historical perspective. She certainly has a much better knowledge of the history than somebody, like me, who has recently come to this place, and I listened with interest to what she had to say. I listened to the Chief Minister's speech and also welcome Mr Smyth's—as I understand it—recent interest in better meeting the mental health needs of the ACT community. I look forward to his support in implementing the government's approach to enhancing the scope and effectiveness of mental health services.

Two weeks ago, the minister announced the following three-tiered approach. The first tier of that approach is that, in developing a new plan, the government will take into account community needs. This will not be about just facilities, as Mr Smyth has simplistically called for; it will cover the promotion of mental health and prevention and early intervention in mental illness. It will look at work force planning needs, which is a critical issue to address where any new services are being planned. It will look at the critical interface between health programs and other areas of human services provision that impact on people's mental health.

The second tier is that the ACT Department of Health and Community Care has commenced a review of safety and quality processes for mental health service delivery across the ACT. The third is that the Minister for Health has issued a directive to the Community and Health Services Complaints Commissioner to investigate the accessibility and standards of acute mental health services and the adequacy of follow-up care for those most at risk.

The three-tiered approach recognises the promotion of mental health and wellbeing and the provision of services to address mental health problems. It is a complex process that involves more than funding specific programs to meet specific needs. It requires an understanding of the evidence base, it requires collaboration across education, community and health sectors and it requires genuine community consultation. The immediate steps—outlined by the Minister for Health two weeks ago and which I have just reiterated—to address the community concern that services be safe and high quality will provide a firm foundation on which policy and service development can occur.

As the Minister for Health has said, service improvement and meeting community needs are not simply a matter of providing additional facilities. I commend the minister for his commitment to developing a stronger and more effective mental health service for the ACT community and his willingness to put both financial and work force resources into achieving this.

**MR PRATT (4.31):** Mr Deputy Speaker, I rise to speak in support of Mr Smyth's motion. I want to talk about school children at risk of mental illness. In discussing the need for additional facilities and services, I would like to see government extend the discussion to the provision of more flexible services, moving in and out of schools, to support teachers in their identification of children at risk. I will also talk about preventative health programs for school children.

Yesterday I spoke briefly about the ASSAD report—the drugs survey—and what that had to tell us about the increasing use of illicit drugs by school children. An upward trend shown in that report concerns us mightily. I stress an “upward” trend, despite what

Ms Tucker had to say yesterday in her rather silly speech with its head-in-the-sand approach to what that report might have been telling us.

We believe that the group of children we might identify to be susceptible to drugs or vulnerable to taking drugs is the same group we might look at to see if we can detect children at risk of mental illness. That group is not entirely the same, because children do not have to be abusing substances to have a mental health problem, but it is a place to start. I would like to see our schools undertaking risk management programs that identify that dynamic.

I also raise the issue my colleague Mrs Cross raised: the vexed issue of schoolboy suicide. We see in all the statistics available to us that schoolboy suicide rates are comparatively high. It is more than a whisker breadth gap; boys are significantly more susceptible to suicide than girls. Clearly there is a growing disconnect at the moment in society, and perhaps schools, in relation to detecting boys who have a mental illness that leads to desperate straits.

We have also to recognise the pressures of society. The pressures of society place greater stresses and needs on our schoolchildren, and something needs to be done about that. So I would like to see the education department and schools more formally look at how they might identify children at risk and bring programs to them. I would like to see the department and schools reaching out to those children at risk of acquiring mental disease, be it your garden variety stress or more serious mental health problems. The concept of schools as communities means that schools do have a leading role to play in this issue.

I will conclude by talking about preventative mental health care for kids. I think this is something we underrate. I would like to see society and schools take a leading role in introducing preventative mental health programs for kids—for want of a better term, a series of stress busting programs in schools to give children a little bit more recreation time and sporting time and more access to adventure, sport and recreation activities. I would like to see them take the initiative and help kids who may be susceptible to stress, particularly ones from broken families, head off those sorts of concerns.

I would like to see the community ramping up life skills education as well. That runs hand in hand with what we have been saying in this place about increased drugs education. These types of programs would be extremely important in helping to head off this particular difficulty. Prevention is much better than cure. I wonder whether we have sufficient programs in place, as a community and within schools, to take head on the concern about mental illness amongst our children. Mr Deputy Speaker, I thank my colleagues for their patience.

**MR QUINLAN** (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (4.36): I do not intend to speak at length. This particular MPI exemplifies one of the difficulties we all work with in this place: essentially, we are lay people but from time to time of necessity discuss quite sophisticated matters that require considerable professional knowledge, training and experience. I do not have advice for overcoming that problem other than: what we do we might do rather carefully.

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Previous to sighting this MPI, I had discussions in relation to the Belconnen Remand Centre on exactly what services are provided and what processes of identification exist. Members will be aware that, because we found it necessary to extend the BRC with an extra campus at Symonston—the PDC at Symonston—we have also been putting in place a protocol to ensure that whatever can be fitted in under “low risk detainee” will be the type of detainee that we will send to Symonston. That is a compact we have made publicly in order to allay fears that some people out that way still have.

It is an unfortunate but necessary thing we are doing at our periodic detention centre because in my own judgment—and I have said it is a layperson’s judgment—the situation at the Belconnen Remand Centre is dangerous and the government would not have been able to allow it to continue, without taking some action, and then claim to have done all it could to obviate some or other unfortunate incident that might take place at the Belconnen Remand Centre.

I have been through the processes that they go through in terms of assessment of and in terms of reference to both health and mental health professionals. It is, I concede, a very difficult process. The actual fate of a detainee is decided by the courts, and I insist that is the way it should be. That power should remain with the courts and not with officers making subjective judgments, unless those detainees are handed over to the control of the particular agency or professionals for one form of assessment or another.

I am a bit disappointed that the need for mental health facilities has been somehow interwoven with the need for adequate remand centre capacity. They are both very important matters. However, I do think that they ought to have been discussed quite separately.

Mr Stanhope has already enumerated some of the difficulties that we face and some of the action that we are trying to take. I have got to say that when I first visited the Belconnen Remand Centre and got my briefing, it was a frightening experience. I am a big boy and I have been around a bit, but it was quite frightening to see and to contemplate the circumstances under which some people are detained for quite extended periods. That remand centre was so overcrowded that there was no room for activities. That place was compounding upon itself: the overcrowding created problems on the one hand and, on the other, there was no real space to interact with the inmates and possibly avoid compounding problems.

It was then odd, going to the periodic detention centre, to see what they were doing there in terms of activity and course work—not that all the weekend detainees were enjoying it. They were certainly being “invited”, let me say, by the management to participate in courses that may in the long term be of assistance—once detainees got over their initial aversion to them. The remand centre had no such facilities.

There are therapy and counselling services available at BRC when we can fit them in. There is review by the psychiatric registrar. There is medication and case management because people come in there with all sorts of problems. Unless those problems are addressed in some manner—

**MR DEPUTY SPEAKER:** Order, Mr Quinlan! The time for the discussion has expired.

## **GreenChoice power and atmospheric carbon levels**

**MS DUNDAS (4.43):** I move:

That this Assembly:

- (1) recognising that the community is greatly concerned about global warming, and that electricity consumption is one of the major household contributions to atmospheric carbon levels;
- (2) recognising that current purchasers of GreenChoice power and those opting out of GreenChoice have difficulty quantifying the difference that their choice is making to atmospheric carbon levels;
- (3) calls on the Treasurer to request ActewAGL to include information on carbon emissions generated by each customer on all electricity bills, and to provide information on average customer carbon emissions.

A nationwide survey of community attitudes to global warming conducted in January of this year found that 85 per cent of Australians believe that global warming was caused by humans generating greenhouse gases. Global warming now ranks as one of the greatest environmental concerns of the broader public.

Climate change is also a problem that we can all do something to address, because we all have some control over the amount of greenhouse gases we generate in our everyday lives.

This motion calls on the government to request that ActewAGL provide information to consumers to help them assess the impacts of their electricity consumption on the environment. As we all should be aware, electricity generation is one of the main sources of Australia's greenhouse gas emissions.

Electricity bills already provide households with graphs comparing energy consumption for the current bill period with the corresponding bill period in the previous year. But this does not tell purchasers of GreenChoice power how many tonnes of carbon emissions they have saved through making a choice to use renewable energy.

Neither does the existing bill format tell a household whether their greenhouse gas emissions are above or below the average, so there is no stimulus to consider new energy conservation measures unless a financial imperative exists, nor is there any stimulus to seek out green power. I propose that a new graph be added to electricity bills to show each household how much carbon dioxide has been produced to generate the power they have consumed.

A lot of people feel powerless to stop the progress of global warming, but if we could see how much or how little carbon dioxide was released as a result of our electricity use, then we could see a clearer link between our actions and the current state of the environment.

The motion also calls for information to be provided to show the average level of carbon emissions generated by each household from electricity consumption so we can compare our own household emissions with the average for the territory.

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Our electricity supplier, I understand, is no longer under the direct control of the ACT government. In April 2002 the Victorian government announced that a similar initiative to the one I am proposing today will apply to Victoria's privatised electricity retailers. From late 2002 all private electricity providers in Victoria will be required to provide information to consumers on carbon emissions as part of their electricity bills.

With this in mind, I believe that the proposal I make today should be easy to implement. Data on carbon emissions from electricity generation is already collected by the Australian Greenhouse Office. It is a small extra step to provide this information to consumers to help inform our energy use decisions, to show the benefits of wiser energy use and perhaps to remind us to turn lights off when we are not using a room. I seek the Assembly's support for the motion I move today.

**MRS DUNNE (4.47):** The Liberal Party opposition will be supporting Ms Dundas' motion and commends Ms Dundas on a practical approach to energy consumption. This is, as she said, a simple process that will help to underline for consumers how much energy they are using and the effect that is having on the environment. We are having a very environmental day here today. I only hope that the government will have the vision to support this motion.

**MS TUCKER (4.48):** The Greens will be supporting this motion. We have been thinking about doing this ourselves. Well done, Ms Dundas, for coming up with this sensible idea.

The provision of information to consumers regarding the products they buy has long been regarded as a standard principle for consumer protection. It is only in the last couple of decades that the concept of providing information to consumers on the environmental impacts of the products and services they buy has been taken on by governments and industry.

The labelling of appliances with an energy rating is probably the first example of this, and this has now been extended to motor vehicles and houses. Water-using appliances and fixtures are now labelled for their water efficiency. The idea is that if consumers are given more information about the impacts of the products and services they buy then they will change their behaviour towards more favourable options.

Members would be aware that electricity, gas and water bills now contain information on the customer's consumption patterns and comparisons with consumption from the previous year, with the aim of making the customer more aware of whether they are saving or wasting energy or water.

The idea of including information on greenhouse gas emissions of electricity consumed is a logical extension of the current information on electricity usage being given to electricity consumers. Ms Dundas has linked this issue to the GreenChoice scheme, but it does not need to be. It would be useful for all consumers to know this information, regardless of whether they are in the GreenChoice scheme.

If people knew how much greenhouse gas emissions they produce by their electricity consumption, then perhaps they would demand that ActewAGL make more of an effort to buy its electricity from more greenhouse friendly sources, regardless of the GreenChoice scheme.

Green power schemes are quite a perverse way of promoting renewable energy. They effectively ask people who want to do the right thing for the environment to pay more for their electricity, when we should be penalising those people who do not do the right thing. We should have a carbon tax on all sources of energy so that renewable energy ends up as cheap as, or even cheaper than, dirty energy, or we should extend what the federal government has done with setting a mandatory percentage of renewable energy that all energy distributors have to buy, set as an extra 2 per cent by 2010, with the extra costs of this spread across all consumers.

But getting back to this motion, there are some practical complications to implementing the idea. Given the nature of electricity, it is not possible to attract particular electrons from their generation source to a particular consumer. There is a continuous flow of electricity around the grid. This has been a confusion with the green power schemes. Some people have assumed that if they join a green power scheme the electricity that feeds into their house will be from a renewable source, but this is not the case. It just means that they have purchased an amount of electricity from a renewable source somewhere in the grid and that this has displaced an equivalent amount of non-renewable energy.

The best that can be done is for aggregated information to be provided to consumers on the proportions of electricity bought by ActewAGL from different generation companies. If the type of generator is known, then the greenhouse gas emissions per unit of electricity can be fairly easily calculated. However, even here there may be complications because of the nature of the national electricity market.

I believe that it is possible for a generation company to buy their electricity from a third party to sell on to a distributor like ActewAGL rather than generate the electricity themselves. Some electricity is bought through long-term contracts, and some can be bought on the spot market from whoever is supplying electricity at that particular time. So tracking back to find all the sources of electricity bought by ActewAGL for the period for which a customer is being billed could be difficult. But this is not to say that we should not try to get this information.

Given that at least the Actew side of ActewAGL is still territory owned and has a statutory obligation to operate in accordance with the principles of ESD and that the ACT has its own greenhouse gas target and greenhouse strategy, it is reasonable for the government to ask ActewAGL to pursue this idea.

While not everyone in the community will take notice of carbon emission information on electricity bills, it is much better that this information be available rather than hidden. It should not be too hard for ActewAGL to add a few lines of text to their bill format. This is a good initiative, and I support it.

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**MR QUINLAN** (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (4.52): The government will support this motion. In truth, we will not vote against it.

I have set out today to get a ruling on exactly how much clout we have, given that we sold half of the electricity utility a couple of years ago. We sold it into the commercial market, to a commercial body, and to people who quite clearly have strictly commercial objectives as opposed to social—

**Ms Tucker:** We know what the objectives of Actew are. They must have bought Actew knowing that ESD was in the objectives of Actew. So it is not just business imperatives.

**MR QUINLAN:** I am not hearing you. Ms Tucker pointed out some of the practical complications in giving a sensible answer to this motion. If ActewAGL does accept a request, or if a request from us does have sufficient force to make them do it, then all those practical difficulties she raised will come into play and it will become a bit of a nonsense.

It is commonsense to advise people of the impact of their energy consumption. It would be a whole lot more sensible to say, “This is how you calculate it. If your electricity bill is so much, then this is how much greenhouse gas you are producing.” That would be more sensible than measuring it for every bill and printing it on the bill, which would be an administrative imposition.

I have asked ActewAGL to give me detail on this. I have asked them for it over some time and they have not given it to me. So if they end up having to spend a few hundred thousand dollars setting up a system and changing their bill format, to some extent it will be on their own head. I cannot guarantee that, under the current structure, a motion passed in this place will have the effect of enforcing something on ActewAGL. AGL owns half of ActewAGL, and we have no say over AGL. But we will certainly pass it on.

**MS DUNDAS** (4.56), in reply: I thank the Assembly for their support of what I believe is a practical step to assist households in finding their impact in one small way on the greater global environment. But I am disappointed by the Treasurer’s words about practicalities.

Ms Tucker brought to light some sensible things that we need to think about in implementing this motion. If Victoria, possibly one of the most privatised states in Australia, can bring this in through consultation between the Bracks government and electricity providers in Victoria, resulting in this information being provided on bills from private companies, I fail to see why—and I would be most surprised if—the ACT would not be able to do this.

It is disappointing in light of what appears to be a worrying trend on a number of issues. This Assembly has made some very clear commitments in a number of key areas, environment being one of them. We have supported the establishment of the Office of Sustainability and today the earth charter. Today we have also looked at solar water heating. The government says nice pretty words but seems to be looking for excuses not to address the practicalities in a number of areas. I hope this impression I have is not

going to continue. This Assembly is coming up with some great initiatives. The government should take them on as the Assembly has directed. I hope that my ill-feeling is unfounded and that the government will stick by its commitments to the environment on any number of issues they have talked about but have failed to follow through on.

In closing, I thank the Assembly for their support for this motion, and I hope that we can all move together on environmental concerns both locally and globally. .

Question resolved in the affirmative.

*(Quorum formed.)*

## **Order of business**

*Ordered that private members business notice No 18 be called on forthwith.*

## **International Day of Families**

*At 5.00 pm, in accordance with standing order 34, the question that the Assembly do now adjourn was put and negatived.*

**MRS CROSS** (5.01): I move:

That the Assembly:

- (1) recognises Wednesday 15 May 2002 as being the International Day of Families;
- (2) notes the integral role that families have in the ACT; and
- (3) calls on the Government to show a strong commitment to families in its 2002-03 Budget.

Mr Speaker, the International Day of Families is an annual 15 May event initiated by the United Nations. This year we celebrate it for the eighth time. The day is an opportunity to reflect on the importance the international community attaches to families and to regard their situation around the world. It is a chance to promote awareness of issues relating to families as well as to promote appropriate action. It is a time for increased understanding of the functions and problems, strengths and needs of families and the economic, cultural, social and demographic processes affecting families.

I thought it may have been useful to suggest a definition of family at this point, but after considering a few I decided to leave that up to individual members. The traditional definition of family—dad, mum and 1.3 children—has been significantly altered by the formal recognition and general community acceptance of other types of unions.

Former Prime Minister Paul Keating was noted for colourful quotes and often cutting yet insightful observations on life around him. One of my favourites went something along the lines of how, in his opinion, two blokes and their cocker spaniel did not constitute a family. How times have changed.

**Mrs Dunne:** It was actually two poofters.

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**MRS CROSS:** I thought I would be a little more discreet, Mrs Dunne. However they are defined, family relationships are the foundation of society. When those relationships are strong, people feel connected with their community and society is generally stable. When large numbers of families are dysfunctional, there is a negative effect in our community. Members will recall that I have spoken previously of the benefits to young people of a reasonably stable family life.

The latest ABS figures show that one of the main priorities for addressing Australia's growing suicide problem is to provide a community environment that fosters strong family relationships. Married people are 2½ times less likely to commit suicide than those who are widowed, never married or are divorced. For those who are married or partnered with children, the risk reduces even further—dramatically so.

A look at prison data shows that a high proportion of ACT prisoners serving sentences of more than five years come from family backgrounds where they were abused or seriously neglected as children.

Whatever governmental, educational and support programs are put in place, unless the family unit is valued, honoured, strengthened and restored to its place as the most important unit of society, then associated problems such as suicide will be dealt with at the service level rather than at the root cause.

The need for good family communication cannot be overemphasised; nor can the need for extra support for families in crisis. To this end, programs aimed at teaching parenting skills take on great importance. It is a myth that first-time parents will just know what to do when their turn comes. While all parents were once children themselves and therefore have a model to follow, they may have been parented poorly and need a new approach.

If parents and their children can talk to each other, and if they have access to outside help when it is needed, they can work through problems without destroying their relationship. This is important for us as a community.

Each culture or people group, including us here in Australia and the ACT, has its own distinct ways of living and thinking. These are developed in response to the particular circumstances of their natural and ideological environment.

Family is the group through which each new generation is made familiar with tradition and standards of acceptable community behaviour. It teaches the individual the cultural ethos and how to adjust to people and groups outside the family circle.

The structure and understanding of family change with time. Families can be seen as having a life course of their own. Not unlike biological organisms, they change over time with a focus on change and time.

When family structures are disrupted by either adding or taking away family members, the role of individual members can radically change. This is also a time for government to be sensitive to, and to ensure, family wellbeing.

Mr Speaker, each year the International Day of Families has a theme. This year's theme is "Families and Ageing: Opportunities and Challenges". Societies everywhere are getting older. On a worldwide scale, life expectancy has increased by 22 years to 66 years of age and is projected to extend by an additional 10 years by 2050. In the ACT we fare much better than that already.

The demographic challenge ahead of us relates to the rate of change in our median age. Overall, we need to take greater account of an older person's life experience and their contribution to society. Families and older persons perform important societal tasks and, because of this, must not be portrayed or thought of as only being a financial burden for the community.

One example very much in the public arena thanks to Sex Discrimination Commissioner, Pru Goward, is paid maternity leave. Opinions on the merits of paid maternity leave vary widely. Personally—and I emphasise that this is my personal opinion—I believe there is a good case for paid leave and that it would be good for both families and business.

People need to get out of their heads any notion that mothers are bludgers who are just after a handout. Paid maternity leave would only be for women who already had a job and who, after taking a brief period off work to have a family, wanted to go back to that job.

I believe the benefits of paid maternity leave far outweigh any of the negatives that have been thrown up so far. There is a real benefit for employers to know that a trained employee will be back at their job after a few weeks away. Employers would be more likely to invest in training, knowing they would have a more stable work force.

One of the hurdles to overcome would be how to fund a national maternity leave scheme. In this regard, Ms Goward has put forward several models for community debate. A national scheme of 12 weeks paid maternity leave at a basic minimum wage would cost about \$300 million per year. At first glimpse, this cost does not appear prohibitive and could be partially offset by the government's current baby bonus payments.

Suggested models range from ones totally government funded to ones with a combination of government and business funding, much like superannuation. Personally, I prefer a combination of government funds and tax credits for business as the most viable option. I am working on such a model that I hope to send to the Prime Minister's office soon.

As taxpayers, we all shoulder the cost of unemployment benefit and various pensions. In many respects, maternity leave is no different. Growing families benefit all parts of the community. Each year fewer and fewer women are willing to derail their careers in order to have a family. It makes no sense to penalise families for wanting to have children, especially now that Australia's population growth is no longer sustainable.

The International Day of Families is an important day to celebrate. I strongly encourage the government, when putting their budget together over the coming weeks, to consider the needs of families and the value that strong families add to our community.

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**MR CORBELL** (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (5.10): Mr Speaker, the Stanhope government has a strong commitment to the very important and integral role that families play in our community, and we will certainly continue to invest in many creative initiatives that seek to strengthen and support families in Canberra. As Mrs Cross rightly points out, investment in families is an investment in the future safety and wellbeing of our children and society as a whole.

It is important that the International Day of Families continue to recognise the diversity of family forms that exist in our communities. Any definition of family must be inclusive of foster families, extended families and broader kinship networks.

Families are the single most important influence in the lives of children. It has long been recognised that the environment we live in has a profound influence upon almost every aspect of our physical, social and psychological development. Children who grow up in supporting and loving environments, generally speaking, have better life outcomes than those who do not.

It is a priority for this government to support early intervention and prevention initiatives at both universal and targeted levels. Ensuring that parents have access to all the information, resources and support they require to undertake the difficult task of parenting is vital. Current research clearly indicates that enormous benefits are realised for children in families through service, collaboration and partnership.

Holistic support for children and families can occur only when professionals from various sectors—including education, health, child protection, drug and alcohol services and community services—work together to wrap services around the unique needs of each family.

With this in mind, another priority for this government will be to ensure a seamless service delivery to ACT families across service sectors. The government is committed to facilitating the coordination of agencies and services in the delivery of programs that support families.

An excellent example of support across service sectors, and one this government wishes to continue, is the Schools as Communities program, delivered through the Department of Education and Community Services. Schools as Communities is a two-part program which aims to strengthen partnerships between schools, parents and the broader community. The program comprises a team of community outreach professionals who are located at eight school sites. These workers provide family support to parents and community development in the broader locality.

The second part of the program, strategic projects, provides funding for small-scale locally initiated projects that seek to strengthen the capacity of families and communities. Together these two aspects of the Schools as Communities program work successfully to assist families in practical terms to prevent child abuse and neglect.

I doubt if anyone would query why we need family support programs, but we need to consider the changes in our society and how these have affected families as a whole. Traditionally, families have relied on one another for support. However, the last 30 years

have seen changes in family structure brought about by divorce, re-partnering, increased geographical mobility, and increased number of mothers in the work force, and increased poverty, particularly among sole parent households. These changes in family structure have left families isolated, under growing stress and often less able to provide support to each other.

Research shows that community-based family support programs, integrated with individual programs targeted at at-risk families, produce better outcomes.

The government, through the Department of Education and Community Services, provides a range of other support programs for families that I would like to draw to the attention of members.

Under the community services program, the government provides substantial funding to children and families. There is a wide range of individual programs giving a broad level of support. Let me give you a flavour of some of these.

Vacation care for adolescents with disabilities is a program that provides 16 places for after-school care and vacation care, operating from locations on the north and south side of Canberra. The Barnardos young mothers group provides support services for young mothers. Canberra one-parent family support targets sole-parent families and their dependent children. Supporting families with adolescents is early intervention support service for young people and their families. These are just some of the programs the government already funds.

There is also the Child Health and Development Service, commonly known as CHADS. CHADS works in partnership with families and their communities to assist children's development. CHADS staff work in partnership with families to ensure that children have the opportunity to develop to the best of their ability. CHADS services target children from birth to 12 years who have delays in their development or have a disability. They also work with the families and carers of these children, with preschools and schools and with other community agencies.

Yet another innovative program offered by my department is the parents as teachers program. This program was designed to support parents before the birth of their child and during the child's first three years. Trained parent advisers make monthly home visits to provide practical information and support to families.

The government has committed to a range of new initiatives that provide support to families. The government has provided an additional 55 centre-based, child-care places in the growing centre of Gungahlin, with new transportables added to the two existing child-care centres at Nicholls and Ngunnawal. The government is also building a new 90-place child-care centre in the Gungahlin Town Centre. This centre is due to open in mid-2003 and planning is well under way.

I also recently announced that the government will be undertaking a project to examine the issues associated with recruiting and retaining staff in child-care, and related work force planning issues. Community and Health Works, an independent not-for-profit organisation, will conduct an inquiry into demand and staffing in child care in the ACT.

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The project will be undertaken in consultation with the child-care profession, the Liquor, Hospitality and Miscellaneous Workers Union and other interested stakeholders.

Focusing on improving outcomes in the child-care industry is a very important way of providing support for families, particularly that ever-increasing percentage of families where the sole parent or both parents are in the work force.

The ACT Labor Party and the government have a policy commitment to implement paid paternity leave for private sector employees through a portability fund—a significant commitment to allow workers in the private sector to have paid maternity leave portable between jobs so they do not lose it every time they change employment. That is another key commitment aimed at supporting working families.

The government has also been looking into the provision of occasional care services in Canberra. A quality service has been provided over many years, and we are looking at ways it can continue to meet the changing needs of children and families in Canberra.

The government is strongly committed to families. I could go on for some time listing a number of other programs. What I have outlined to members this evening highlights the range and diversity of programs, both new and ongoing, that the government believes provide essential support to families in Canberra.

I am not going to pre-empt any budget initiatives, but I can indicate that the interest expressed by members in the debate this evening will be taken into account in the government's development of its first budget.

The final point I make is that we should not forget our school system, especially our public school system in Canberra. The public school system and indeed the non-government school system are committed to working with families in our community. The ACT schools system has a close partnership with the families of children attending our schools. Any day of the week you go into a public school or a private school you will almost inevitably see parents there supporting teachers and their children in a good educational context.

The ACT government provides grants to the Parents and Friends Association and to the preschool association to support them in their vital work with the government school and preschool systems.

The government is demonstrating a commitment to families. Days such as today, the International Day of the Family, are a good reminder of the significance of the family as an institution in our community, what it provides and the need to continue to provide families with ongoing support.

**MS DUNDAS (5.20):** I thank Mrs Cross for bringing this motion on for debate. I also welcome Minister Corbell's comment that he will take into account what we are saying in this debate.

The International Day of Families has global significance, but in an endeavour to influence the 2002-03 budget I would like to talk more about non-traditional families. Unfortunately, the federal government seems to have a mindset that leads it to talk about

a family in terms of a husband and wife and children. It does not seem to be able to break out of that mode of considering families. My experience has definitely taught me that “family” is a quite complex term and can mean a array of social networks.

One of the disappointing things about the federal budget handed down yesterday is that yet again, as has been the case for many years, the budget statement on women referred to family many more times than it referred to women. This federal government fails to see women outside the family unit. They see women either as children being looked after by parents or as mothers looking after children and being part of a family unit. That is an incredibly disappointing trend with this federal government. I trust and hope that the ACT government does not follow this trend of pigeonholing women as just being family. We know that we are more diverse than that.

“Family” is a quite complex and complicated term. It has a lot of different meanings. In my first speech I referred to my “urban family”, which I have no blood relation with but which are so important to me in providing me with support networks and with what traditionally would be provided by the so-called family. They are key to my life.

On this International Day of Families, I recognise not only my parents and my blood relations—what the Howard government would see as the traditional family—but also those people who are an important part of what I consider family.

I welcome the comments from Mr Corbell about how this government does focus on families. That is important. I will not deny that at all. However, I trust that they do not get into the same mode of thinking as the federal government on what a family is, because that is totally out of step with life in the ACT and across Australia.

**MS TUCKER (5.23):** I just support what other speakers have said. We all acknowledge that family can mean many things. It is not the 1950s idea of a mother and father and two point whatever children. A family is any group of people living in a relationship that is loving and supportive. It does not have to involve children but it sometimes can involve children. Humans do not want to live in isolation. In discussing a family and the International Day of Families we need to take that into account.

Australia has single-parent families, families that foster children, families of same-sex couples, families of heterosexual couples, extended families and kinship families related to culture.

From a policy perspective, in supporting families we should look at the social condition in which people and families of all shapes and sizes exist. It is harder for some family types than others. With the same-sex families, there is still unacceptable social discrimination, as well as legislative discrimination which we have talked about in this place, as in superannuation, adoption and so on.

For single-parent families and bigger families with more adults and children, poverty is an issue. If we want to make sure the budget is directed towards supporting families, which seems to be an important part of Mrs Cross’ motion, then we have to understand poverty.

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The poverty task force made it clear that single-parent families were suffering from poverty. There is also concern about the emergence of working poor in Australia, Casualisation of the work force and weakening of industrial relations legislation and protection for workers have disadvantaged women, who are not in industrially strong work situations and are more likely to be exploited by employers. We can see that in the gender analysis of people who have suffered under the less regulated industrial scene in Australia over the last few years. It shows that women have been negatively affected.

Foster families are an important group of families in need of support. The last paragraph of Mrs Cross' motion says that it is necessary to support families. A recent report from the Australian Foster Care Association made key findings that support the need for us to acknowledge the very important work in the foster care system.

The key findings included a finding that the foster care system faces important challenges, with the bulk of children in the system being cared for by a relatively small number of carers and too few new carers. The nature of foster care has been changing, with a high level of behaviour problems in children in care and the need for more sophisticated parenting.

In this environment, there is a need to review recruitment processes, training and ongoing support to ensure children are receiving good, quality care. Collaborative approaches involving all levels of government and parts of the sector offer the potential for better outcomes for children. A significant proportion of foster carers would like greater support, particularly from state authorities. Greater support could also be provided through foster care associations.

More broadly, foster carers feel that the low level of status and respect they feel is accorded them does not match the importance of the task they are undertaking in raising children. Foster carers are taking on children who are severely and extremely traumatised. It is work that should be given much greater status. I am pleased to see this report. I hope it is acknowledged federally and locally. I do not think many of us here would think we were up to the task of dealing with some of the troubled young people that foster carers care for. It takes an incredible amount of dedication.

There are allegations of abuse within that foster care system. It is absolutely horrendous that children who have already been incredibly betrayed by the situation they were brought up in can be abused. That is also dealt with in the report. Processes to deal with allegations of abuse have to be improved to provide greater support to carers without jeopardising the safety of children. In this context it is worth trialing approaches used in countries such as Canada.

In the foster care debate Aboriginal families have to be given special acknowledgment. Unfortunately, the removal of Aboriginal children from families, which was dealt with in a very important report, is still occurring. Attention needs to be given to how people in indigenous communities are supported and how foster arrangements can be facilitated in consultation with, and controlled by, indigenous communities.

In conclusion, families are indeed very diverse. I agree with everyone who says that families are a very important part of our society and important in ensuring stability and community cohesion. They need to be valued in all their various forms. Society does not

value certain types of families, and we need to be very aware of that. Poverty has to be related to this discussion. Any real commitment to family from the federal government or the ACT government has to be about looking at social policy to ensure social rights for people, no matter what form of family they are in.

**MRS DUNNE (5.32):** Mr Speaker, what can you say about families? You cannot live with them and you cannot live without them. I wish I had the audacity to quote the former Prime Minister in the way Mrs Cross did. I would never have used that expression.

This is the International Day of Families, and everyone has stood to say how important families are. I hope that by standing here today and saying how important families are we impress upon the government the importance of serving the families of Canberra well when it comes to drafting the budget.

As I said in my maiden speech, I believe that the family is the prism through which we should view society in our policy formulation. Mr Corbell waxed lyrical about the great initiatives of his department, the initiatives to come and his commitment to keep some programs. Most of those programs were implemented by the former government, many under the social capital program.

I talk a lot about social capital. Intact families, functioning families, are the glue of our society. When we talk about social capital, they are the high point—an even higher point than all the Canberrans turning up to rugby matches in their Brumbies caps. Families are the base, the core, the foundation of what makes social capital.

We have talked here today about the importance of helping families function well. We have also talked about the obverse—the families that do not function well and the important influence that the way in which your family functions has on children and how they grow up.

I would like to reinforce what Ms Tucker said about the importance of foster care. The increasing importance of foster care is a symptom of the extent to which we do not have functioning families. If we had functioning families, for the most part we would not need foster care and we would not need to call on the sterling services of all those people who do what most of us would not dare do or even dream of doing—taking on children who have been greatly traumatised and have great behavioural problems and helping them sort out their lives.

I echo what Mr Corbell said about early intervention. Early intervention is the key. One of the initiatives the former Liberal government took to the election and one which I am so sad that we will not have the opportunity to implement—if Mr Corbell would like to take it on, I would be ever so grateful—was the program for young mothers at risk.

The program was based on longstanding research and initiative in the United States, where young mothers at risk were identified before they had their children. Women who were pregnant and alone or perhaps did not a very good relationship were singled out and visited from about six months before the birth of their baby through until the baby was two to three years old. Nineteen to 20 years after that research, there was still great

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benefit for people in the group who were visited and were taught parenting skills and how to nourish their children both physically and emotionally.

Some work was also done to help mothers find employment and improve their education skills. There were lower rates of imprisonment, drug addiction, crime and recidivism both in the mothers and in their offspring. This shows what can be done with a simple and small amount of intervention early in the lives of young children to help to build and strengthen our society so that as many families as possible are functioning families.

I would like to pay tribute to an organisation in my own electorate, the Dream Centre at Charnwood, which is spending a lot of its time and energy reaching out to the families of Charnwood and surrounding suburbs to provide early intervention programs.

One program I have heard about but have not had an opportunity to visit yet is one that brings young mothers in for an afternoon, takes the children to playgroup and spends time looking after the mothers, giving them a massage and a little bit of TLC. On many occasions this is what young mothers, particularly mothers at risk, need. They need to know that somebody thinks they are worth while, and from time to time they need a bit of time out and a bit of time to themselves.

Ms Dundas spoke with regret about the propensity of the federal government to talk about families in the context of mothers. Although sometimes we are uncomfortable talking about being mothers, when we talk about families in this place it is what we come back to. We might feel uncomfortable about the 1950s model of an ideal family, and Ms Tucker, Ms Dundas and Mr Corbell might have talked about the complexity of families and their complex interactions, but we all hark back to what it was like in the 1950s, whether we liked it or not.

In closing, I commend the motion to the house. I commend the families of the ACT to this government.

**MS MacDONALD (5.39):** I thank Mrs Cross for her motion. It is timely on the International Day of Families for the Legislative Assembly to reflect on the importance of families and how we can continue to support them.

The minister talked about changes in family structures over the past 30 years. Canberra is a special community and has seen a lot of changes over time. Pressures on families in the ACT are exacerbated by factors such as a high divorce rate, a highly mobile population that means a lack of extended family support and community networks, a widely dispersed population, and a high work force participation rate that means less time for families and community networks.

We need family support services that strengthen family relationships and improve family capacity to care for children. We want to emphasise the strengths, skills and abilities of families to solve problems and achieve goals rather than focus on weaknesses.

Successful support programs for families need to have a prevention and early intervention focus. They should strengthen a broad set of family relationships between all the diverse people that make up families.

I agree with Mr Corbell when he said it is important to recognise the diversity of families that exist in our communities. Ms Dundas referred to this as well. I would add to this by stressing the importance of recognising the diversity of ethnic backgrounds of families in the ACT.

Given the intergenerational report included as part of yesterday's federal budget, it is timely to reflect on the changing composition of the family, in particular the role of older Australians in the family unit, the contributions they make and the ways in which they will be supported. I know that the ACT government is committed to the whole-of-government issue of supporting the wellbeing of our older citizens.

Another important focus of the Stanhope government is on indigenous family support. One of the excellent programs aimed specifically at supporting indigenous families is the Billabong Aboriginal Corporation, which targets indigenous families in the Belconnen region. This program fosters and encourages the development of a resilient and supportive Belconnen indigenous community. It is very worth while. This is what we need—programs aimed at specific groups that work with groups to build on their own support networks and encourage these people to access the services offered by the wider community as well.

Family support services are vital to preventing child abuse and to helping each child develop his or her full potential. Research confirms that family support services can provide an enormous range of benefits to families and to the community as a whole. Good family support services can reduce the need for foster care and out-of-home placements, improve parenting, reduce delinquency and involvement with the justice system, reduce substance abuse among family members, prevent premature family breakdown, improve educational outcomes for children and young people identified as at risk, and reduce the incidence of family violence.

This is not by any means a definitive list of the advantages of having good family support services in place, but it does serve to remind us all that the community as a whole will benefit from family support services. I believe that the community as a whole is a big family in itself. I view myself as being part of my own blood family and also my family of friends, who I am often closer to and get more support from than blood relations. I also view myself as being part of the family of community. That is something that we continuously need to strive towards improving.

Ms Dundas said that she hopes this government does not fall into the same trap or mindset as the federal government. I can assure her that this is a government with very different priorities and that that is unlikely to happen.

I repeat what Mr Corbell has said. The Stanhope government is committed to supporting families in the ACT. We intend to continue with that commitment and to work with the community to improve circumstances for all families by well-targeted and planned family support services.

**MR PRATT (5.44):** Mr Speaker, I support this motion to celebrate the International Day of Families. It is very important that we do not marginalise those who are not in families. While we stand here and celebrate the family structure, we must remind all of our

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citizens that we are all equal. However, we are celebrating the family as the linchpin of society. The family structure is very important.

I personally would like to celebrate the family dynamic as we know it, the traditional family. I agree with Ms Tucker and Ms Dundas. They are quite right when they say that the traditional family model has taken a bit of a battering. There is no doubt about that at all. It is very important that we as a society embrace single-parent families and families in difficulty as part of the mainstream structure and take care of them. But this does not mean—and this is where I take a point of severe difference with the views that Ms Tucker and Ms Dundas have put forward—that we should look at radical definitions of what a family might be. I do not believe we should do that.

I think traditional families as we know them, although in some cases these families are under stress, are integral to the success of our society and where it is going. To play around with family structures and to have radical laws in place to allow, for example, same-sex couples to have families would be a damaging move. I do not think it is essential to the future of our society. Indeed, I think these things would damage the fabric of our society as we know it.

I agree with Mr Corbell and those opposite that, wherever we can, we must increase our support to families and the family structure within the limitation of our resources. I must disagree with the point that the federal government has not given a toss about families. This is a bit of an emotional bite that some people take.

Over six years, the federal government has brought interest rates down to billyo, managed the economy in such a way that families right across this great land of ours have been more empowered to get on with raising their families and nurturing their kids. I have no truck with the comment that Liberals here and Liberals at the federal level are unsympathetic to caring for families. It is a load of rubbish.

I was pleased to hear Mr Corbell talk about adding value to the community schooling family-oriented programs we have in place. It is important that through the education portfolio we continue to reinforce the success of the family structure and talk up the value of family.

We ought to recognise the role our multicultural families have played in the last 30-odd years in changing the face of society. They too reinforce the core values of family which perhaps some of us Anglo-Saxon wretches have probably forgotten. It is important to celebrate their role in society in maintaining the strength of the family unit.

We should take our minds beyond our shores and remark on the strength of the family unit in many overseas societies in difficulty. In overseas countries having a terrible time it is amazing to see how strong the family unit is. As a contribution to encouraging peace around the world, we as a developed country have a role to play in providing good international aid programs that support families and family structures. If we support women and their families, we will help to deny the macho gun culture elements that exist in many places. I would encourage our government and our community to donate privately to aid programs that help and empower women and their families as a way of breaking down the stresses and strains that exist in societies in great difficulty.

I commend the motion. It is very important that we recognise families. I thank the house for its indulgence.

**MRS CROSS** (5.50), in reply: Mr Speaker, I thank members for their comments on this motion. It is good to hear such support for families in Canberra in varying forms. The wonderful thing about living in Australia's democracy is that we can have varying views on a number of issues and for the most part they meet a high level of tolerance and acceptance.

However, I trust that all this sweet sentiment does not turn out to be just talk when it comes to budget time. One of the criticisms I continually heard throughout the election campaign was about how politicians talk a lot but take little action. The community is cynical of politicians, but we can help to change that.

The government's first budget is an important one for them. Personally, I will be going through it with a fine toothcomb and from a family perspective.

I pay tribute to those in our society who enter into foster care. I applaud them highly. Mr Rugendyke, a former member of this place, has taken in up to nine foster children. I applaud him for that. Many foster parents also have a number of biological children of their own. They are to be commended.

I echo the sentiments of my colleague Mr Pratt in commending the influences of the multicultural community. The multicultural community encompasses every other nationality other than that which is indigenous to this country—not only those of non-English-speaking countries but those of English-speaking nations or nations that speak dialects of English. I commend all those people for their wonderful contributions to this country as well the indigenous population for their influence.

Again I thank members for their time. I wish everyone a happy International Day of Families.

Question resolved in the affirmative.

## **Discrimination Amendment Bill 2002**

Debate resumed from 10 April 2002, on motion by **Mrs Cross**:

That this bill be agreed to in principle.

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

## Plantation forests

**MS TUCKER** (5.53): I move:

That this Assembly calls on the Government to:

- (1) undertake a review of the future land use of the pine plantations burnt out in the Christmas bushfires, including, but not limited to, the use of some or all of the land for—
  - (a) plantations of native tree species;
  - (b) rehabilitation to its original native vegetation;
  - (c) other land uses not related to plantations;
  - (d) re-establishment of the pine plantation;
- (2) take account in the conduct of the review of—
  - (a) environmental, social and planning considerations in integrating the use of this land into the broader planning of Canberra;
  - (b) the economics and environmental impacts of plantation forestry in the ACT;
  - (c) community views on the most desirable use of this land;
- (3) report to the Assembly on the outcome of the review by the end of the sitting week in September 2002; and
- (4) not proceed with any replanting of pine trees in these areas until the Assembly has considered the outcome of the review.

The Christmas bushfires which burnt out 500 hectares of pine plantation in the Stromlo Forest area were a frightening event, but we need to move on and look at what opportunities arise from this situation. We are left with a significant area of cleared land on the fringe of the city, lying between Belconnen and Weston Creek, adjacent to the Tuggeranong Parkway and extending to the shores of Lake Burley Griffin.

It is an attractive location from a range of planning perspectives, and there is no inherent reason why it has to be a pine plantation. Rather than assume that the area should stay as a pine plantation just because it was a pine plantation before, I think the government should think more strategically and review the planning of this area to see whether the land could be better used for other purposes.

My motion does not propose particular types of use to which the land should be put, and I do not have any particular position on that. The motion is intended to open up for debate possible uses of this land. This land should not be regarded as a monolithic whole that is suitable for only one land use. Different parts of the area could be used for different purposes, depending on location and particular geographic characteristics. Perhaps some of the land could be used for recreational purposes as parkland. This might be most appropriate in the area between the parkway and Lake Burley Griffin as an extension of the lake foreshore, which on many other parts of the lake has been kept as landscape open space.

Some of the land may be suitable for building. At this stage I do not have a fixed view, but obviously there is an ongoing demand for housing land. Perhaps part of the site may be suitable for the much debated prison. Perhaps some of the land could be rehabilitated back to its original native woodland and grassland. That work is being done to regenerate the 150-hectare Boboyan pine forest in Namadgi National Park back to native forest shows that this is quite feasible.

Even if some or all of the land remains as plantation, why not use native hardwood species rather than pines? While they are still a form of monoculture, native species would have more ecological value than the introduced radiata pine.

There will be some financial impact on ACT Forests from withdrawing part or all of this land, but we need to keep things in perspective. The ACT timber industry is not going to collapse because of the loss of these trees. This 500 hectares is only 3 per cent of the 16,000 hectares of pine plantation in the ACT. Pine trees are normally harvested 32 years after planting, so the financial loss from not replanting this area of pine forest would not have an effect for many years.

Who knows what could happen to the ACT over the 30-year lifetime of any replanted tree? Some 60 per cent of the pine trees burnt were below harvesting age so would not have been harvested soon anyway. I understand that ACT Forests will be receiving an insurance payout of \$2 million for the loss of those trees, so we are not totally out of pocket from their loss.

I understand that plantation forestry is a pretty marginal business in the ACT anyway. It needs to be noted that other types and uses for this land may end up being more valuable to the community and the government than the forgone income from not reusing the land as pine plantation. They may also enrich our environment better than pine trees. The economic and environment implications of plantation forestry in the ACT therefore need to be taken into account in reviewing the use of this land. Paragraph (2) of my motion takes these factors into account.

I understand that the National Capital Authority is undertaking a review of the land that was burnt out along Lady Denman Drive because of its closeness to Lake Burley Griffin. In fact, much of the plantation area burnt out is on designated land that is under the planning control of the NCA. If the NCA is prepared to review the land use in one part of this area, then I think the ACT government should work with the NCA to review this whole area.

My motion raises a need to immediately stop the replanting of the area until these planning issues are resolved; otherwise, we could be wasting resources in replanting if it is subsequently decided to use the land for other purposes.

Even if ACT Forests has already committed funds to this replanting work—and I understand that \$120,000 has already been spent—we need to think of the long term here. It would be short-sighted in the extreme to continue replanting just because we want to save a bit of money now, when this may lock us into using this land for plantation for the next 30 years at least. I acknowledge that my motion would delay replanting for another year, but again we need to think of the long term.

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In conclusion, if this government is committed to strategic planning and to sustainability, then it should not just assume that it is business as usual in our pine forests. I hope that it will show some vision and leadership and take the time to review the planning implications of the Christmas bushfires and make the most of the situation.

**MR WOOD** (Minister for Urban Services and Minister for the Arts) (5.58): At first reading, Ms Tucker's motion is a simple and reasonable approach. We have an area of land dedicated to pine forest that has been devastated. It has been cleared. Therefore, is it not logical to re-examine what we do with that land? That would appear to be a fairly normal arrangement. I can understand where Ms Tucker is coming from, but the government does not support the motion. As I run through the details, you will understand why.

I note the Democrats' amendments, which are also eminently reasonable, but I think in the circumstances they cannot be supported either. As you will hear, the pine plantation is not so large that we can hive off bits of it. It is really a very difficult step to contemplate a change in direction either for the whole or for a part of it.

At Christmas time, 500 hectares of the Stromlo plantation was burnt by a wildfire that was deliberately lit, very effectively lit, by a professional but someone unknown to this day. The fire impacted significantly on the landscape around Greenhills and Lady Denman Drive, on logs supplies to the ACT timber industry and on recreational opportunities in the pine plantation.

The government has considered—indeed, over a number of years governments have considered—the issues involved in the forest, and in this specific case in replanting the burnt area. In this specific case, after that consideration, the government is of the firm opinion that most of the Stromlo pine plantation should be replaced with pine this winter. But we acknowledge that the area close to Lake Burley Griffin should not be replanted as a commercial pine plantation. That area between the lake and Tuggeranong Parkway should not go back to pine plantation. It is under the control of the National Capital Authority, which will be responsible for determining what types of trees are replanted there.

I am aware that a range of community views have been expressed about replanting the area around Lady Denman Drive. It is my understanding that all of those views will be properly considered by the National Capital Authority before a final decision is made on the type of replanting to be undertaken in that area.

The ACT government has cleared the burnt trees and will complete the clean-up of this area before handing the land back to the National Capital Authority. The government is involved in ongoing discussions with the NCA and has offered to assist with their replanting program on this site once they have decided on its future.

As Mr Smyth knows, an approach has been made to the government about the land adjacent to the zoo and a possible expansion of the zoo. That matter is presently being considered, and no decision has been reached at this stage.

As for the rest of the plantation burnt at Christmas time, which is the majority of the affected land, the government does not support a review of the kind suggested by Ms Tucker, or by Ms Dundas from a somewhat different perspective. Adequate processes are already in place to best meet the needs of the ACT community and address the issues of concern.

The plantation area is zoned in the National Capital Plan and the Territory Plan for use as a pine plantation. This is important public open space and, in the circumstances, needs to be restored as soon as possible. The National Capital Plan specifically states that the pine plantation in the Greenhills area should be used in a way that reinforces the landscape character of the area. It also provides for multiple uses of the area. This will be achieved by replanting the burnt area with another forest of pine trees. We all praise Walter Burley Griffin. The pine plantations were very much part of his planning.

Delaying the replanting of this site until after a formal review would mean that the area could not be replanted until the winter of 2003. By mid-September it will be too late to plant this year, as the soil profile will be beginning to dry out again. The rain of the last week or so has been very helpful.

I feel certain that the people of Canberra will not be happy if this important recreational area is left in a barren state for another year. Delaying the replanting will also cause significant environmental problems such as weed infestation and soil erosion.

The ACT is the only jurisdiction in Australia to have banned the harvesting of native forests. We do not harvest native forests in the ACT. We concentrate our forestry operations in plantations. Elsewhere in Australia the green movement is campaigning to stop the logging of native forests and transfer the production of timber to plantations. Plantation forestry is a sustainable way of producing the timber the community needs.

ACT Forests operates as a commercial public trading enterprise, with its primary purpose being the management of the territory's 16,000 hectares of commercial pine plantations. This is pretty much the minimum area of pine plantation required to maintain a viable plantation-based forestry industry in the ACT.

The government believes that ACT Forests needs to operate in a commercial manner. This means that it must be able to make decisions about harvesting and replanting its plantation areas in a timely manner.

ACT Forests commercial forestry operations generate about 350 direct jobs in the ACT, most of which are blue-collar jobs. ACT Forests employs 24 staff. Many of these jobs, as well as those in the wider forestry industry, will be at risk if the area is not replanted as a commercial pine plantation.

Conversion of the pine plantation to a eucalypt plantation is not practicable. Scientific trials dating from the 1930s have not found any native species that are commercially viable, because the growth rates are very much slower than those of pines. The soils and climate around Canberra are fairly harsh, but radiata pine grows well on these sites.

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There are no markets for eucalypt timber in Canberra, and 500 hectares of eucalypt plantation would not be of sufficient size to encourage the development of a new forestry industry to process the wood. I know Ms Tucker was presenting a range of options. Moreover, the loss of 500 hectares of pine plantation would have a large impact on the volume of pine logs that can be supplied to the existing forest industry and could jeopardise the ongoing viability of this important industry.

Rehabilitation of the pine plantation to its original native vegetation, another of the options for consideration, on a scale like this would be very difficult and expensive, and it would take more than a decade to make significant progress. Given that some 53 per cent of the Australian Capital Territory is protected as a national park or a nature reserve, I do not believe there is a compelling reason to generate additional native forest.

The government has taken the decision, on good advice, to replant the burnt areas with pines this winter to ensure that the area is restored as quickly as possible. ACT Forests has been working hard to ensure that all the necessary clearing and site preparation works are completed in time for winter planting. It would be very undesirable to jeopardise all this hard work by putting the replanting operations on hold while a review is undertaken. Ms Dundas' amendments are designed to overcome that problem.

ACT Forests has already spent \$450,000 on rehabilitation works in the Stromlo area. It has contractual commitments for another \$320,000 to complete the rehabilitation works. It has made a down payment of \$110,000 on the purchase of pine seedlings for the replanting. This money will be wasted if the replanting is not able to proceed.

Perhaps not everybody understands that the burnt area of the plantation was fully insured and that the insurance covers the cost of re-establishing the burnt area as a pine plantation. It would clearly not be valid to use the insurance money for some other purpose. We would be fully committed to the cost if we changed course. Any decision to delay the replanting operations could jeopardise the claim for the money already expended on site rehabilitation works.

I understand the background of the motion and the amendments, but I think in all the circumstances we cannot change course. The pine plantation goes back a long time, back to the beginning of this territory, and we cannot make decisions that would affect this long history in an unfortunate way. The government has very good grounds not to support the motion or the proposed amendments. Work is well under way now and needs to continue.

**MRS DUNNE (6.11):** I rise to oppose the motion and the amendments and to repeat and reinforce the points made by Mr Wood. I have been approached by many on this issue since the fires at Christmas time. Canberrans know that the fires caused a great loss. The scars and the barren state of the Greenhills forest and the areas around are a constant reminder of that.

I understand why many in the community are eager to see a change in the land use there. When I raised this with Tony Bartlett from ACT Forests, I understood fairly early in the piece that this was not something that we could proceed with.

Softwood plantings by ACT Forests are basically a tree farm for commercial forestry operations. As Mr Wood said, they provide many jobs in the ACT, many of them blue-collar jobs. I spent a lot of time discussing this with Tony Bartlett in January this year, and it became perfectly clear that the mill at Mitchell is set up for softwood. There is no industry in or around the ACT set up for hardwood. If we had a hardwood plantation, the cost in energy of getting the hardwood to mill somewhere else would probably outweigh any commercial benefits that might accrue.

I agree with Mr Wood that we cannot afford to delay beyond the winter planting season. To do that would be environmentally irresponsible. There are many fairly steep hills which are at risk of erosion. I know that ACT Forests are taking measures against that. The winter rains will worsen the situation. If we do not plant this winter, we will have to wait another year, and then the erosion would be massive and the scars would be massive.

It is with regret that the Liberal Party cannot support this motion or the amendments. I hope that this might redeem me a little in the eyes of Mr Quinlan.

**MS DUNDAS (6.14):** I seek leave to move three amendments together.

Leave granted.

**MS DUNDAS:** I move:

- (1) Paragraph 1, omit “undertake a review of the future land use of the pine plantations burnt out in the Christmas bushfires, including, but not limited to, the use of some or all of the” and substitute “undertake a review of the current and future land requirements of the plantation timber industry in the ACT, including but not limited to use of current plantation”.
- (2) Paragraph 2, omit “this” substitute “plantation”.
- (3) Omit paragraph 4.

I would like to start by quickly responding to some of the comments that have gone before in this debate. I am quite disappointed that the reason why people are not willing to look at other uses for the plantation, or even consider supporting this motion, is that they believe that part of the motion is an outcome.

The motion calls for a review. We are looking at a possibility. We are looking at what we could be doing. We are not looking at an outcome. We are looking at possible outcomes. We are not making a decision here and now on the floor of this Assembly not to do anything or to do something. We are calling for a review to consider the options for the plantation land damaged by the bushfires.

My amendments go some way to addressing the concerns that have been expressed. They broaden the scope of the review to include not only the land damaged by bushfires over Christmas but all of the current and future land requirements of the plantation timber industry in the ACT. My amendments also remove the condition that we do not plant any pine trees until this review has been completed. Whilst I am committed to the review, I recognise, as others have, the impact that delaying replanting will have on the soil and the environment of the area.

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I fully support debate about the plantation land use, and I thank Ms Tucker for raising it. I would like to discuss how my amendments broaden the area of potential review. The Stromlo Forest represents about 3 per cent of the ACT's plantation forests. I want to look at the future of plantation forests in the ACT more generally, and I would hope that the Assembly would want to do that.

We are all aware of the softwood milling and preservation businesses in the ACT that depend on a continuous supply of wood from ACT forests. In whatever we do we must consider the impact on, and the viability of, these businesses. Expansion of plantation forests is part of Australia's plan for ecologically sustainable development, and the ACT will have a role to play in assisting development of a sustainable plantation timber industry in Australia.

I understand that the mill in Hume does not have access to an adequate volume of timber to enable it to operate 24-hour shifts. Whereas most softwood mills elsewhere achieve economies of scale due to larger supply catchments, the volume of timber in the ACT and the immediate surrounds operates as a constraint. I have been informed that it is unclear whether the ACT will be able to compete with mills in New South Wales and Victoria in the longer term. So let us seize this opportunity and look at the options for current and future land use and the land requirements of the plantation timber industry in terms of the economic impacts on these businesses.

It is also relevant to consider the overall area of plantation forests in the ACT and surrounds so we know whether the decisions of the review threaten or enhance the viability of the ACT processing industry.

As I have said, the final part of my amendment removes the words about not proceeding with any replanting of pine trees. Whilst I believe that a broad examination of the future of the ACT forest industries would be valuable and is essential, I realise that it would not be wise to defer planting of the burnt area until such an expansive review was completed.

Replanting can be done only in a wet autumn, during winter or in early spring to ensure seedling survival. If we defer replanting in this area until September, replanting will not occur until the following year, and soil erosion and compaction may occur, reducing the value of that land for any future use, be that plantation or something else. Having a review and deferring any decision about what will happen to this specific piece of land does not cut off any options for future use of this land.

As I said earlier, I am quite disappointed that the minister and the opposition are seemingly so ready to dismiss the need for this review. We should be able to explore the options open to us, and now that we have a visible reminder of what happens in the natural cycle of pine plantations we should seize the opportunity to look at our options and to take account of the impact of pine plantations on the environmental, social and planning aspects of Canberra and consider them as part of our broader Canberra environment.

I urge members of the Assembly to support my amendments, because I think they go a long way to addressing the concerns that have been raised. If the motion is amended, it will allow us to undertake the review Ms Tucker has called for. We can then look at the impact, good or bad, of the ACT pine plantation industry in a holistic sense.

**MR CORBELL** (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (6.21): It is important to state very clearly to Ms Dundas and others that following the fires at Christmas time the government has given very serious consideration to the issues involved in replanting or otherwise using the burnt area. It is not the case that the issues have not been looked at. They have. The government has done that as part of the normal process of assessing what to do following the fires.

The government is of the firm opinion that most of the Stromlo pine plantation should be replanted with pine this winter. My colleague Mr Wood has outlined the time imperative in ensuring that those plantings occur this winter. The government has also considered the future of the area close to Lake Burley Griffin, and has decided that the area should not be replanted as a commercial pine plantation.

Planning and management for the national capital open space system, NCOSS, and specifically this land by the lake, are under the control of the National Capital Authority, as this land is designated land under the National Capital Plan. The NCA is responsible for determining the planning policies for the area as well as what types of trees are replanted on the land.

Planning and management for the national capital open space system are in the interests of both the national capital and the territory and require cooperation between the Commonwealth and ACT governments. The national capital's requirements are specified through its detailed land use policies in those parts of national capital open space which are designated areas, and through the general policies and special requirements of the National Capital Plan for other national capital open space system areas. The territory provides for its requirements through the Territory Plan.

Management plans, which are usually prepared by territory agencies, are the key to successful implementation of these policies and plans. Consistency of planning and management and the realisation of an open space system which symbolises the character of the national capital and provides a unique landscape for the city must be achieved through consultation and my means of joint studies in those areas where there is both NCA and territory interests.

The government does not support the suggestion put forward by Ms Dundas, and by Ms Tucker in her motion, for a review of the land burnt at Christmas. This area is zoned in the National Capital Plan and the Territory Plan for use as a pine plantation. It is important public open space and it needs to be restored as soon as possible.

It is also important to note that the area on the non-lake side of the Tuggeranong Parkway which was substantially destroyed by the fire also forms part of the backdrop to the central area of the city. Any use other than a landscape use would, I suggest, run into very serious problems with the National Capital Authority, because that area provides a very scenic and important visual backdrop to the central parliamentary area.

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The National Capital Plan specifically states that the pine plantation in the Greenhills area should be used in a way that reinforces the landscape character of the area and provides for multiple uses of the area. This is what will happen if we proceed with replanting as soon as possible.

Currently, because the area is under rehabilitation, it is not available for its normal range of uses by the Canberra community—cycling, bushwalking, running, dog walking off lead. A whole range of activities that normally occur in that forest area have not been possible because of the fires and the rehabilitation work.

The ACT government does not support any proposal to consider the burnt area for alternative land uses. To change the land use to residential or other built purposes would destroy the landscape fabric of the area and significantly compromise the setting of the area as a backdrop to the central parliamentary part of the city.

Mr Wood has outlined very effectively the range of issues the government has already considered in detail as part of its response to the destructive fires at Christmas time. For those reasons, the government is not prepared to support this motion.

**MR SPEAKER:** A matter has just been brought to my attention in relation to the first Dundas amendment. I would draw members' attention to standing order 140, which reads:

Every amendment must be relevant to the question which it is proposed to amend.

I am advised that the first amendment moved by Ms Dundas significantly widens the scope of the motion moved by Ms Tucker. I will quote from Ms Tucker's motion to illustrate the matter. Paragraph (1) reads:

undertake a review of the future land use of the pine plantations—

I emphasise this part—

burnt out in the Christmas bushfires, including, but not limited to ...

Ms Dundas' first amendment seeks to widen the scope of the motion to all land and is therefore inconsistent with the original motion. I accordingly rule that amendment (1) is out of order.

Amendments (2) and (3) negatived.

**MS TUCKER** (6.26): I will make a few closing comments. I would like to respond to some of the comments from Mr Wood. He made the point that we cannot log native forests in the ACT. That is correct. That is because the ACT decided that it was sensible to protect the forests through having parks. We once had a hardwood industry here. There was logging in the Brindabellas up until the 1960s. Houses built before the 1960s were built with hardwood. As consciousness grew about the impact of logging in the Brindabellas and water quality in the Cotter catchment area, there was a move away from logging hardwood.

Mr Wood said the Greens try to stop the logging of native trees. Yes, we try to stop the logging of native trees in old growth forests, but we promote hardwood plantations, as you know. It is not quite correct to imply that we are doing something strange here. Obviously there is a use for hardwood. I suggest you would find a market for it if it was available. I think people still prefer hardwood for building.

Another argument put by Mr Wood was about jobs. We are not saying that we should get rid of the whole industry. The suggestion by Mr Wood was that the loss of 3 per cent would create a huge disaster for the industry. Evidence was not produced to support that.

It was argued that the area in question is designated on the Territory Plan as public open space, but public open space does not have to be a pine plantation. That is not a strong argument either.

It was said that we have to spend the insurance on planting pines and that if we do not plant pines then we will not be spending the money. We could choose to take a longer term view of this area of land and other potential sources of revenue from the site. A comprehensive cost-benefit analysis has not been presented.

The view of conservation groups in the ACT is different from the minister's view about how big a deal weeds would be if the land were to sit for a year. There would be some weed issues certainly, but there are weed issues when you plant pine too. There has been a fairly consistent complaint about seedlings or weedlings—I cannot remember the word. I am told that they are wildlings. They move out from the pine plantation and are creating problems in our natural areas and nature parks.

We had a rather energetic debate about the pesticides it is necessary to use with a crop such as new pine trees in one area close to residences. There were fears about the impact on people of the application of the pesticides that are necessary to ensure that young pine trees are protected from other seedlings growing around the forest. They would be seedlings, wouldn't they? I think they are seedlings, not wildlings. So there will be weed and pest issues, regardless of the use, whether the area is planted or it is not. Managing weeds has been a continuing issue in restoring the area of Boboyan pines. Weeds are an issue whatever happens to the land.

It is clear that I am not getting support for the motion from anyone. It has been an interesting debate.

**MR SPEAKER:** Before I proceed to put it to the vote, I know that people want to help in the course of debate, but help from the gallery is highly disorderly. It was given in a spirit of goodwill and Ms Tucker received it in a spirit of goodwill. In fact, she may have even prompted it.

Question resolved in the negative.

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## **Adjournment**

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

That the Assembly do now adjourn.

**The Assembly adjourned at 6.35 pm.**