



DEBATES
OF THE
LEGISLATIVE ASSEMBLY
FOR THE
AUSTRALIAN CAPITAL TERRITORY
SIXTH ASSEMBLY
WEEKLY HANSARD

9 MARCH

2005

Wednesday, 9 March 2005

Petitions:	
Traffic—Spence.....	743
Car parking—Bunda Street	743
Lower Cotter catchment—restoration	744
Smoking in public places.....	765
Visitors	775
Questions without notice:	
Mr Rob Tonkin	775
ACT Forests—use of pesticides	777
Gungahlin Drive extension	780
Budget—GST revenue	781
Budget—GST revenue	783
Education—curriculum	786
Policing.....	788
Health—elective surgery	790
Health—cryptosporidium	790
Aged care accommodation	791
Multicultural community languages grants program	792
Supplementary answers to questions without notice:	
Health—elective surgery	795
Animal pound	795
ACT Forests—use of herbicides	795
Personal explanations	796
Papers	798
Personal explanations	799
Canberra women (Matter of public importance)	799
Smoking in public places.....	813
Order of the day—postponement	817
Neighbourhood Watch—Isaacs	818
Adjournment:	
Disability services	831
Arts facilities	832
Namadgi National Park	834
Public servants.....	835
Mrs Vicki Dunne	837
Gungahlin—services	837
Canberra Hospital	838

Wednesday, 9 March 2005

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

Petitions

The following petitions were lodged for presentation:

Traffic—Spence

By Mr Stefaniak, from 81 residents:

TO THE SPEAKER AND THE MEMBERS OF THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

The petition of certain residents of the Australian Capital Territory draws to the attention of the Next Assembly that the intersection of Kingsford Smith Drive and Kuringa Drive Spence is in urgent need of a traffic engineering assessment and upgrade.

In recent months there have been a number of serious motor vehicle accidents at this intersection. Your petitioners therefore request the Next Assembly to call on steps to have this assessment undertaken and this dangerous intersection upgraded immediately.

Car parking—Bunda Street

By Mr Stanhope, from 1,722 residents:

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory, the petition of concerned residents of the ACT, draws to the attention of the Assembly that:-

1. QIC (the developer) of Section 84 Civic, has misled the residents and business operators of the ACT regarding the timing of the closure of the surface parking in Precinct A (the corner Bunda and Petrie Streets).
2. A brochure titled **Current Construction Activities, October 2004** states that QIC is committed to delivering car parking as part of the initial works program in Precinct B. QIC also stated in the brochure the interim parking arrangements (Precinct A) would be available during this (initial works) stage of construction.
3. The new **Section 84 City 2004 Master Plan**, released December 2004, also states—early provision of basement parking on Precinct B (by mid 2005) will boost available spaces in the short to medium term (in the Bunda Street area).
4. We respectfully remind the Assembly that certain works (**including the new Griffin Centre with basement parking**) are part of the Lessee's deed of agreement obligations to the Territory.

5. Furthermore this breach of the publicly advertised timing of parking space closures has placed unacceptable pressure on parking availability for visitors and workers in the Civic area and has certainly not “*boosted available parking spaces in the short term*”.

The petitioners therefore request the Assembly require QIC to create additional temporary surface car parking (at least 250 places), and/or other measures to alleviate the current parking situation in the Bunda St area, to be made available till the Precinct B underground parking is open.

The Clerk having announced that the terms of the petitions would be recorded in Hansard and a copy of each referred to the appropriate minister, the petitions were received.

Lower Cotter catchment—restoration

MRS DUNNE (Ginninderra) (10.32): I move:

That this Assembly:

(1) notes:

(a) that Environment ACT last week halted forestry operations in the Lower Cotter catchment; and

(b) the statement by the Minister for the Environment that he will continue with the current planting in the Lower Cotter catchment; and

(2) calls on the ACT Government to:

(a) immediately halt all forestry operations until the matter has been reviewed by the Legislative Assembly; and

(b) table, before the adjournment of the Legislative Assembly on Thursday, 10 March 2005, all advice provided to the Shaping Our Territory Group and all advice tendered to the Government concerning the restoration of land in the Lower Cotter catchment.

Mr Speaker, this is a motion about failure. It is about failure to consult, it is about failure to listen and it is about the failure of this government to really take into account the benefits and the adversities of their actions in relation to the lower Cotter catchment.

There has been a lot said, in the last week or so in particular, about forestry in the lower Cotter catchment, but there has also been a lot said in this place since the devastating fires of 2003. We are here today debating this issue because of another failure: the failure on 8 January 2003 to put out fires that eventually burnt through these pine forests and so devastated the best water catchment in this country and probably the world.

What we have to remember is that, before the devastating fires of 2003—and we all admit that they were devastating; we had a press release from the Chief Minister the other day reinforcing just how devastating they were—we had some of the best water

catchments in the world. We had some of the best quality water for drinking purposes in the world. For the most part, we could reticulate water to Canberra homes without any augmentation—any chemical addition, any purification, any filtration—because we had the best water catchment in the world.

The failure of 8 January 2003 was that we did not put out the fires when we had an opportunity, and we let the catchments burn as a result. We are here today addressing the failure that occurred on that day—and we will reap the benefits or we will reap the adversities of that failure for 50 or 100 years to come. This will not be the last debate about the quality of the water catchment in the Cotter because of what happened on 8 January or what did not happen on 8 January.

We have to face up to ourselves and realise that collectively we failed on 8 January, and we are confronting that failure today by confronting other failures of the Minister for the Environment: his failure to consult, his advice-shopping to find the most convenient advice. What we see today is something that the members of the opposition have been talking about for a long time: the capacity of this Chief Minister, this Minister for the Environment, to undertake what we call “Stanhoping”.

There is a great tradition of eponymic verbs in the English language. The most obvious and longstanding one is to boycott. A more modern version would be to pilger, which roughly translates as to exaggerate an apparent wrong to the point of making the intelligent and otherwise impartial person sympathetic to the supposed wrongdoer. And now in the ACT we have come up with a new example of this, which is to “Stanhope”, which has now entered the Australian political lexicon. There are several variants, but a good definition might be “to shift the blame from one’s self and one’s government by misrepresenting criticism of the government as criticism of honourable people whose actions are undermined by government incompetence itself, and to do so, usually, with a quavering voice”—you know, “You have to be nice to the volunteers.” Firefighters—especially volunteers—nurses and teachers are three groups that have been “Stanhoped” in this way. And there is also a tactic for the “Stanhoper” to bask in the reflected glory of the group in question.

What we have here today is classic “Stanhoping”. We had it yesterday when Mr Stanhope attacked Dr Foskey—and, I think, the *Canberra Times* in the same breath—for her “ideological” campaign against forests, against pine trees. The only person who is being ideological in this debate is the Chief Minister and Minister for the Environment, who is ideologically sticking to his own point of view, refusing to be gainsaid by anyone.

There is a timely reminder of how we should be approaching this debate in yesterday’s article by Mr Sandy Hollway, the chair of the Shaping our Territory Working Group, where he says that, rather than bickering and misrepresentation—and I do not want to be involved in misrepresentation in this issue—the debate “should be led by dispassionate, expert analysis of options, costs and benefits”. I wholeheartedly concur with Mr Hollway that there should be dispassionate and expert analysis of options, costs and benefits, and that is what this motion proposes to lead to today.

What the motion calls for, for the most part, is a temporary halt to forestry operations while this issue is reviewed in a public way. And the first step to reviewing this issue in

a public way is to have all the papers that are available, all of what everyone said on the subject, laid open for the people of the ACT to inform themselves—not to have it delivered via the cipher of *Shaping our territory* or Jon Stanhope, the Minister for the Environment, but to actually see what a whole lot of people said.

This is necessary because yesterday Mr Stanhope stood in this place and said that *Shaping our territory* was signed off by a squillion people, and he read out a list. I will read out this list again. The first is Sandy Hollway. I have a high regard for Mr Hollway, but I do not know that he is an expert in forestry, water conservation, run-off or chemicals; I do not think he is a scientist. Next is Maureen Cane, a social worker and member of the community held in the highest regard but who does not have those scientific qualifications. Peter Cullen, without a doubt, is the foremost freshwater ecologist in the country. Robert de Castella is a fine runner, a fine advocate for health and fitness, but his scientific knowledge, I think, is a little on the light side. Ms Dorte Eklund and Ms Catherine Keirnan have particular expertise in planning and landscape architecture, but none in those fields. Kevin Jeffery, a rural lessee, would have a passing knowledge of most of these things. Mr Peter Kanowski is a forester whose views we should take into account. Ms Pegrum and Mr Scott-Bohanna from the National Capital Authority have no particular expertise in this area. Mr Terry Snow is a foremost Canberra, a businessman, a philanthropist and a man of considerable note but, again, someone who has limited but probably a passing enthusiasm for these issues. Mr Thompson and Mr Tonkin are representatives of the government, and Professor Robert Wasson is a foremost ecologist.

It is a very long list there, but there are actually three people with expertise in the areas that we are concerned about who supposedly signed off on this document and thereby committed the ACT government to reforesting the lower Cotter catchment. There are three people on that long list who have particular expertise, and at least two of those people have come out publicly in the last little while and raised considerable concerns about the department's and the government's actions in the lower Cotter catchment.

So what this motion is about is laying bare the record so that the people of Canberra can see what is happening and can make decisions. It is very important to make decisions about the future. As I said, what happens in the Cotter catchment as a result of our failings on 8 January 2003 will impact on the lives of the people of Canberra for the next 100 years at least.

What happened as a result of the ferocity of those fires is that we lost probably 1,000 years worth of build-up of organic material in the soil; there is no organic material in the soil. As a result of that, the soil, in some cases, can lodge rock hard, like concrete, but in other places is quite mobile. You can see the results of that if you visit the Cotter River. At the Cotter Reserve, as I said to the *Canberra Times* the other day, it is like flowing milk chocolate. The water is brown and that brown is the run-off from completely denuded slopes all around the Cotter catchment.

The Cotter catchment is very important as a recreational area. It is very important—or was before the fires—ecologically; it was one of the few breeding grounds in the ACT of the two-spined blackfish, one of the endangered species. One of the reasons why the two-spined blackfish is endangered is the impact of European carp, which create turbidity and make it difficult for these native species to breed. But we have created

much more turbidity in the lower Cotter catchment in the last two years than millions of carp could have done in the lower Cotter catchment.

This is about our failing to address the issues. What we are doing today is trying to draw a line, take some time and actually look at what we are going to do for the future—for the future of that catchment, for the future of our drinking supply, because it is part of our water supply—and, because we are at the headwaters of the Murray-Darling Basin, the responsibility we have for the impact that will have on the Murrumbidgee River downstream and the Murray River downstream. Those areas are very important and I do not think enough attention has been given to these issues.

There is a fair swag of stuff in *Shaping our territory* about the options for forestry. It is very clear, if you read *Shaping our territory*, that this part of the report was written and predicated on, “We will be back with pines.” It seems to me and to many people in the community that no real thought was given to any alternative. There are bits and pieces in here that talk about the options—we could have some grass grazing and we could have other sorts of forestry and we could have a mixture of things—but it is all weighted so that we come to the obvious conclusion that the only thing that we can do is put pines back.

We have even got the ludicrous situation that the government, in *Shaping our territory*, actually suggests that by 2029 we will start to turn a profit in ACT Forests. I have lived in the ACT for a very long time and I have been involved in forest policy in the ACT since 1996 and I do not think that there was ever a time when ACT Forests turned a profit, either before self-government or post self-government. The only time it has turned a profit is when it has taken in insurance payments, in 2002 and 2003. That is the only time the books have been in the black. There were a whole lot of historical reasons why pines were planted in the Cotter catchment, and for the most part rational people would say that the decisions that were made in the twenties, thirties, forties and fifties are now outmoded and proven to be wrong.

Before the fires broke out, there was a study by ACIL Tasman, which looked at a previous study. The ACIL Tasman study was basically predicated on looking at the land east of the Murrumbidgee River, but most of what it said about land east of the Murrumbidgee River holds true for that west of the Murrumbidgee River, which is what we are particularly concerned about here. The analysis of ACIL Tasman was that the soils are too poor, the rainfall is too low and we will always have at best a very marginal forest industry. Added to that is what we are now seeing. As was said last week or the week before at the ABARE economic agricultural outlook conference, people in softwood forestry in the ACT cannot compete with New Zealand. It is becoming less and less an economic prospect, and as a result of this we need to draw a line in the sand, to consider the issues, to stop the forestry and table the documents.

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

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (10.47): This is indeed an important debate. The Cotter catchment is made up of two sections: the upper Cotter catchment, which drains into the Corin and Bendora reservoirs and falls into the Namadgi National Park and wilderness areas managed by Environment ACT, and the

lower Cotter catchment, a mixture of forestry and conservation land uses which drains into the Cotter reservoir.

The upper Cotter catchment is the main water source of Canberra. In total, the Cotter catchment is an area of approximately 50,000 hectares, of which about 10 per cent is used for forestry and the remaining 90 per cent for conservation purposes. One hundred per cent of the upper Cotter catchment, our main water supply source, is in conservation lands. The 2003 bushfire destroyed vegetation across the entire catchment.

With the scale of the damage and its catastrophic nature, it was inevitable that there would be some degradation of the catchment following the fires, and I will provide some information on the restoration work that has been undertaken to arrest and redress that degradation. Even the restoration activity itself was liable to result in some impact on the fragile environment. But doing nothing was not an option then and it is not an option now.

Knowing that we were dealing with a natural event on a scale not encountered before, the government took a sophisticated management approach to catchment restoration. It took the best available expert advice, began restoration activity based on that advice then modified action as required, based on monitoring. That approach has proven successful and is continuing in the catchment today. Professor Gary Jones, CEO of the Cooperative Research Centre for Freshwater Ecology, just last week endorsed the approach set out by the government in the *Shaping our territory* report. Professor Jones also chairs the ACT Water Catchment Management Group, an expert group I set up last year to advise me directly on catchment management issues.

In the wake of the 2003 fires, the government's first priority was to stabilise the environment in the upper catchment, the area draining into Canberra's primary water supplies, Bendora and Corin dams. Restoration works in these catchments included a wide range of activities from field studies into the effects of the fires to on-ground restoration of roads, and soil stabilisation measures. Overall, several million dollars have been invested in restoration works in the catchment.

As an example, one highly significant project is the restoration work on the upland bogs of the catchment. These are the sponges of the system, collecting and slowly releasing water to the streams. They have high conservation value, being home to the endangered corroboree frog. Restoration of bogs like these was an Australian first; no-one else had attempted such a project. We have put in place a whole series of approaches—some quite experimental—and we are succeeding.

Another major component of the catchment works has been the extensive investigation and monitoring of the biodiversity values in the fire-impacted catchment. The conservation values of the catchment also need to be assessed and, where required, restored, in the wake of the fires. In an extensive program, Environment ACT is assessing fish, vegetation and mammals. The restoration work and natural regeneration have largely stabilised the upper catchments, although the works are still continuing.

Restoration work has also taken place in the lower catchment, the area that drains to the Cotter dam. The restoration of the lower catchment has not been focused solely on tree planting. Aerial grass seeding of 7,000 hectares was conducted very early on to help

stabilise the soil, and natural revegetation is occurring in many places. However, to create a stable catchment, reforestation with pines and/or natives is essential. The *Shaping our territory* report in November 2003 considered the importance of revegetation of this part of the catchment and concluded that reforestation with pines was the more practical and readily achievable alternative. One and a half million seedlings, a mixture of natives and pines, have been cultivated for planting over the 2005 autumn-winter season.

Restoration work in the lower catchment has provided an opportunity to explore different and better ways to manage our catchments. The riparian areas along streams in the catchment are important zones for stream protection and for wildlife purposes. ACT Forests, in conjunction with researchers from the Australian National University, are investigating the effectiveness of the wider riparian protection zones that match the slope of the land.

The effect of the bushfires on the Cotter River itself has also been considered as a component of the catchment restoration. The Cotter River, particularly the upper Cotter catchment, is the source of most of our domestic water supply. The river also plays a crucial role in conserving biodiversity, with two threatened fish species, the macquarie perch and the two-spined blackfish, occurring in the river. Over the past two years the river has been impacted by the bushfires, a record-breaking drought and the effects of the dams in the catchment. Nevertheless, with the benefit of environmental flow releases refined by an ongoing adaptive management program, the river has been accorded a reasonable bill of health from the Cooperative Research Centre for Freshwater Ecology.

Restoration work in the lower catchment is continuing. Our catchments tend to be more susceptible to summer rainfall, which comes in storms—in contrast to the gentler rain we get in winter and spring. This summer has seen our first substantial summer rain since the bushfires and we have seen some significant erosion. We had expected erosion; it would have been abnormal not to have had some. Erosion is a normal part of such landscapes and, given the harsh post-fire conditions, we would have expected significant movement. We are using this knowledge to assist us to manage the landscape, and there are good examples of soil stabilisation, which we are looking to as models.

It cannot be stressed enough that the issues confronting the ACT are both unprecedented and extremely complex and that there will inevitably be a variety of scientific opinion about the best way forward. It is interesting that some experts have chosen to air their views now, rather than contributing to the open public consultation process on the non-urban study. The government's aim continues to be to base the restoration work on the best available evidence. This process is being guided by an across-agency field restoration team, with representatives from ACT Forests, Environment ACT and ACTEW. I do need to stress that the restoration works aimed at protecting water quality are being given a very high priority.

The restoration work in the Cotter catchment is new territory for everyone. We have never had a fire of the catastrophic nature of the 2003 bushfires, affecting so much of our catchments. We have learnt much and will continue to learn as we chart our way forward. In that process I have great confidence in the catchment restoration works being guided by our land managers, Environment ACT and ACT Forests, with the expertise

they have had to draw upon and with the management regime we have put in place. More significantly, I have confidence that our catchment restoration will proceed effectively and that our catchments will continue to deliver high-quality water for our city.

To that extent, it is probably appropriate at this stage to move an amendment that I propose to the motion. I have circulated the amendment and I move:

Omit all words after “That this Assembly”, substitute “commends the Government for its Cotter catchment restoration work.”.

In the context of that, it is important that we address some of the issues that have been raised in this debate—if I might call it a debate—that has been driven from the *Canberra Times* over the last five days. There are issues in relation to what has been written or reported that it is appropriate that we address in this debate. I think what we all look for—and it has been very much of the comments that have been made already by the opposition—is some lead, some guidance, a sharing of scientific views.

There has been much reference to scientists and scientific views within the *Canberra Times* and it is necessary that we address some of those. For instance, there was a non-attributed reference in the first of the articles on Wednesday, 2 March, with the headlines “Cotter catchment chaos” and “Halt to pine replanting as water supply threatened”. It was not that there was just a halt to pine plantation or replanting; we halted all work to give us time to reflect and a pause in relation to the modus operandi, the work that was being done and how it was being done.

In that particular article, “leading scientists”—unnamed—described the catchment as a “basket case”. We do not know who those leading scientists were—it was in the plural. The phrase “basket case” has been used day after day, continually republished; yet the view, or the phrase, as far as I am aware, has yet to be attributed to a single scientist, let alone to all scientists. For the sake of the debate that we are now pursuing, it would be interesting to know who these leading scientists are that have raised these particular concerns about the lower Cotter catchment being a basket case.

Similarly, in the same article, it says that leading scientists “have also raised concerns about significant levels of arsenic and manganese in the river sediments”. Once again, there is no real identification of which leading scientists have raised concerns about significant levels of arsenic. My office indeed has asked for the names of the scientists that have raised this particular concern, and we are looking for the reports that have actually indicated these significant levels of arsenic and manganese in the river sediments, but we cannot at this stage attract or find those particular reports. We do, of course, have the analysis of ACTEW of arsenic levels within the water. So we are interested in that particular scientist being identified, and we are particularly interested in seeing his reports on issues in relation to arsenic and manganese.

On Thursday, 3 March, we had a headline in the *Canberra Times* of “How Cotter mess could have been avoided”. The first and second paragraphs of that article are essentially an allegation that the ACT government—in other words, ACTEW in this particular instance—ignored expert CSIRO advice on protecting the water supply. It quotes a Professor John Williams as saying that the “installation of inappropriate filtration technology had needlessly caused a shut-down of the Corin dam,” which is, of course, in

the upper Cotter, not the lower Cotter. These particular allegations in relation to that were not put to me and I was unable to respond to them specifically. I do know, however, from conversations between ACTEW and Professor Williams since the article appeared, that Professor Williams sought to explain quite significantly the nature of the comment and the nature of his contact with ACTEW and the ACT government post fire, and the nature of any advice that he may or may not have provided to the ACT government.

I have also subsequently received correspondence from CSIRO scientists, in relation to the claims put forward of Dr Williams, in which they take serious exception to the suggestion that the CSIRO was not involved. They directly contradict Professor Williams and actually refer to reports that were provided by CSIRO scientists to ACTEW post fire. They directly contradict the words or the reports in relation to Professor Williams.

Then, on Friday, 4 March, we had the continuing saga: “Govt told not to replant pines at Cotter: ecologist”. That story of course centres on the ecologist Peter Cullen’s allegations that he told the government in March 2003 not to replant pines in the catchment. Of course, it is the same Peter Cullen, Professor Peter Cullen, who was a formal member of the committee tasked by the ACT government to investigate the very issue of the restoration of the Cotter, which ultimately recommended, amongst a suite of recommendations, that pines should—or could—quite freely be planted in parts of the Cotter catchment, having regard, of course, to issues around importance to protect the quality of water and that pines not be planted in riverine areas or on particularly steep slopes. The article did not go on to explain that the advice that Professor Cullen had provided to the government was provided in March 2003, quite six or seven months before he signed off on a specific recommendation that they could be.

Mr Hollway has indicated that there was vigorous debate amongst members of the committee, and between the committee and consultants, about the appropriate way forward. This is a complex and difficult issue. Professor Cullen did express a view in March 2003 to Environment ACT about the replanting of pines. By November of that same year, Professor Cullen advised the government, through his participation in the Shaping our Territory subgroup, that he supported the planting of pines. This is what is reported of Professor Cullen. I have to say that, if Professor Cullen—and this surprises me—has resiled from his November 2003 position, he has not done me the courtesy of advising me that that is his position. He has not walked away from the report. It is there in black and white: Peter Cullen supported the recommendation that pines be replanted in the Cotter. It says that.

Mrs Dunne: Table it. Where does it say that?

MR STANHOPE: It says it quite explicitly.

Mrs Dunne: Well, why don’t you table it, then you can highlight it.

MR STANHOPE: You have got the report. Haven’t you read the report?

Mr Smyth: It just says he is part of the study team. It is there: he is part of the team. It does not say—

MR STANHOPE: So he has done it. It is a consensus report, supported by all—a unanimous recommendation that pines could be planted in the Cotter—signed off by Peter Cullen; a unanimous report. If Professor Cullen has walked away from the report or the recommendations, I think it behoves him to indicate that that is precisely what he has done.

There is another article on Saturday, 5 March. Through all of these articles, the Cotter is continually described by these leading but unnamed scientists as a basket case. Of course, none of them has been yet identified, none of them has been yet named, but the story or the allegation or the assertion is repeated ad nauseam. On Saturday, 5 March, the headline was “Work to resume in Cotter catchment”. In the second paragraph it says that a leaked report reveals that, six months after the fire, Bob Wasson urged the government to undertake a thorough study of the impact of erosion and run-off in the catchment.” Once again, Professor Wasson was a member of the *Shaping our territory* report. He is one of the scientists that formed part of that expert group that took advice from the whole of the community—consulted extensively, invited submissions, engaged, at significant expense, a full range of consultants and experts to advise on the work that was being done—and, once again, Professor Wasson was a signatory to the final, ultimate report on which a submission to cabinet was based and on which cabinet made its ultimate decisions in relation to the restoration of the Cotter. Once again, of course, we have references to a basket case, attributed, once again, to unnamed leading scientists.

DR FOSKEY (Molonglo) (11.03): I am going to talk quite fast today because I have a lot to say, and I believe I have only 10 minutes to say it in. Initially I want to respond to the assumptions made by Mr Stanhope yesterday in his response to my question without notice. Of course, I think a well-tried debating technique was operating here, which is where one reduces another’s—I am not going to use the word “opponent” because I do not like that style of politics—complex concerns to very simple ones and then addresses those simple concerns. I have seen this reflected in media reports again today and I want to address those issues here.

The first of those is that I am reflecting a concern that only the health of humans matters. There probably have been impacts on human health through the use of chemicals, but I am also concerned about other species. I am a Green, so I guess you will not be surprised at that. I am concerned about the effect of some of these chemicals on frogs—for instance, tadpole populations are known to be affected—and, of course, vegetation and all the other spectrum of animal and plant life that I am sure that Mr Stanhope does not have a very good understanding of. My second concern is the assumption that my approach to the replanting of pines is ideological.

I want to point out again—Mr Stanhope probably knows this—that my concerns are based on very widely available economic and ecological research. The economic evidence is that we do not need these softwood plantations; we already have enough mature softwoods and developing softwoods in Australia to replace native hardwood harvesting for sawn timber and chips. That, of course, is something I am very committed to. I do not support the planting of plantations in order to phase out hardwood logging in the ACT because any new or replacement plantations in this country should be strategically placed according to the proximity of processing facilities and the soil

quality and water availability on those sites. Canberra is manifestly not a good site for pine plantations.

I am not going to go into the ecological evidence against the planting of any monoculture—pines or eucalypt—because it is exhaustive. It is out there and a lot of it has been addressed in the *Canberra Times* in recent weeks. I think the quality of that writing has been quite high. I am very glad that the debate is out there and Ms Beeby is brave enough to continue, even though she is being subjected to some not particularly good comments in this place.

Mrs Dunne has addressed my concerns about the expert process, which resulted in a decision to replant pines, and substantively I agree with her analysis of the section in *Shaping our territory*. There was a suggestion that I was proposing that enlarging the Cotter dam, which is one of the three options put out by Actew, would drown the catchment. That is not what I was saying. I was saying that if we are enlarging the Cotter dam, then that indicates an even greater reliance on that catchment and therefore a stronger argument for managing that area as a catchment.

Here I want to focus on two issues. The first is the pre-eminence of managing our catchment for water quality and quantity, and the second is the process by which we devise that management plan. I will support the motion—I do not suppose that is any surprise. It is very clear that the recent work by ACT Forests has had an impact on water quality. This impact was such that Environment ACT ordered ACT Forests to stop work.

I believe we are all in general agreement that the key objective in the Cotter catchment is protecting water quality and quantity. That is not the argument. It is incredibly important, therefore, that we understand the rationale for the decision to predominantly replant with pines rather than to manage the area as a catchment, which will involve diverse plantings of diverse species, but basically looking to a return to the state it was in before we started mucking around with it so much. I support some form of review by the Assembly to consider this matter. I will be putting to the public accounts committee a suggestion that we do a broad cost benefit analysis of options for managing the catchment.

The ACT government has indicated that a comprehensive business case was prepared after the January 2003 bushfires, and subsequently independently reviewed, before the decision was made to replant significant sections of the Cotter catchment with pines. We asked for those documents yesterday. We have been assured that they are being looked for and that we will be given copies of them. Today we had, in my office, a copy of the insurance policy. I have not yet had a chance to look at that, but I thank the Chief Minister's office for that.

It is absolutely vital that decisions about replanting these catchments are based on the best possible knowledge about maintaining water quality and quantity in the catchments. At the moment, there is a range of divergent views being aired publicly. We do not have the knowledge about what was really said, we rely on third case reporting in the case of the *Canberra Times* and, as Mr Stanhope has just mentioned, he has a number of reports that I am eagerly awaiting.

The fact is that a lot of evidence goes through—a lot of views were processed in it—the sausage machine of reporting for this non-urban study. It may very well be—I believe it

is the case—that a lot of these scientists spoke out early on and cannot be accused of sitting on their knowledge and waiting until now. Of course, in the process of creating a committee response, we see some people prevailing over others. That is what happens. Nonetheless it is really important, in the interests of transparency and accountability, that we have all the reports that made up that final decision available to us.

Another concern raised was the fragmented management regime for this piece of land. A number of authorities are involved: ACT Forests, ACT Health, ACT Environment and Actew. I may have left others out. To me, this points to the need for a catchment authority that brings all this information together and has the interests of the catchment at heart, not all those other things. It is great that ACT Health is looking after our health, that the water is being monitored and that Actew cares about and wants to manage our water supply, but people have their own fragmented interests. They need to draw them together in one body. I think this could be part of an upper Murrumbidgee catchment authority that the Greens have been calling for for some time.

I would like to know how much has been spent on developing the options for water supply. We are down to three now, but is this catchment not part of our water supply? We are demurring about the costs of managing it for that, and yet we are prepared to put I do not know how many dollars into a consideration that may lead to yet another water supply and another catchment. I think it is ridiculous.

I am wondering, too, if the decision to plant seedlings now is based on the fact that we have a million and a half pine seedlings that were purchased last year and not planted because we have been in drought. Suddenly, it becomes imperative to plant them. If I were a land manager of this land, I would say that this would be the worst time because it is dry, the soil is in bad condition and a huge proportion of the seedlings will die. If we continue with this pine planting option we will be replacing those later on too when the weather and conditions are right. They are not right now. Even if I did agree with the pine planting option, I would be saying, “Don’t do it now.”

We need to get the best scientific advice—the best advice about all kinds of things; it is not just scientific, I agree with you there—to put a priority on managing this catchment. I cannot say what is the best way to manage it; I would say that different parts of it require different kinds of management. There may be a place for pines somewhere but not as part of a commercial industry—that is an old option.

MR DEPUTY SPEAKER: The member’s time has expired.

MR HARGREAVES (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (11.13): Thank you, Mr Temporary Deputy Speaker. How delightful it is to see you in the chair, sir.

Mrs Dunne: He is Deputy Speaker. Get the term right!

MR HARGREAVES: You are Deputy Speaker; I stand corrected.

MR DEPUTY SPEAKER: That is okay.

MR HARGREAVES: It is really nice to see you in the chair anyway. Before I make a contribution to this debate in respect of ACT Forests, I make an observation for the record. This motion was put on the notice paper prior to 12.30 pm yesterday. At about a quarter to three—ten to three-ish—Mrs Dunne asked me a question in this chamber about the chemicals in that catchment area. She put on the notice paper—

Mrs Dunne: It was not on the notice paper until this morning.

MR HARGREAVES: It was on the notice paper prior to receiving an answer at question time. So I question whether this was all predetermined and just a big stunt or whether it was being just a tad precipitous. Being generous, I will suggest that it was a tad precipitate. The information Mrs Dunne sought will be provided today in the normal course. However, I can say that the detail about the constitution of the chemicals will be provided. It could have been done yesterday but I wanted to make sure the answer was complete. There was a second part to the question that I did not want considered in isolation.

The January 2003 bushfires destroyed 10,500 hectares of ACT forest plantations, of which 4,100 hectares are within the Cotter catchment. Following this devastation a massive clean-up and revegetation program was commenced by ACT Forests. I would like to commend staff from ACT Forests for their untiring efforts throughout this enormous and ongoing exercise.

I also want particularly to single out for praise Mr Tony Bartlett, manager of ACT Forests, who has done a fantastic job under enormous and unwarranted criticism, particularly from those opposite. I wish the record to show to Mr Bartlett that, in fact, he has my unqualified support. The staff, led by Mr Bartlett, have met the many challenges associated with the recovery with great professionalism and dedication.

Throughout the recovery operations, ACT Forests has been extremely conscious of the priority to be allocated to maintaining water quality. It has worked very closely with a range of experts to ensure that forests can be re-established in a manner that will ensure that water quality in the catchment will be much better in the future than it was before the fire. It has also implemented many measures to alleviate environmental impacts.

The *Shaping our territory* report, released in November 2003, has been the basis for the development of government policy concerning the management of the Cotter catchment. The recommendations put forward in the report were accepted by the government. At no time were the commercial interests of pine forestry put ahead of the interests of maintaining water quality, fire protection and sound land management. The report of the steering committee, chaired by Mr Sandy Hollway, stated:

The Steering Committee remains concerned that turbidity in the Cotter is likely to remain too high if pines are replanted throughout the catchment.

It continues:

Clean water is crucial to Canberra's future, and is a first order priority in determining land use and land management in catchment areas.

In accepting the recommendations of the *Shaping our territory* report and embracing the development of a government policy around those recommendations, it is clear that this government has placed the interests of long-term water quality and land management at the forefront of its decision-making processes. It is native trees, not pines, that are being planted along watercourses and on steep land. I am going to say that again for the benefit of any deaf people: it is native trees, not pines, that are being planted along watercourses and on steep land. Pines are being planted on the remaining land. In addition, the road network is being reduced and the remaining roads are being upgraded to reduce sediment movement into watercourses.

A great deal of effort has been put into reducing soil erosion and silt run-off in the burnt estate. However, it is important to recognise that the 2003 fires caused significant damage to the forests and soils within the lower Cotter catchment, and there is no easy solution to restoring such a large area of burnt forest. Work has to be undertaken and areas need to be disturbed in order to ensure that new trees are successfully established. In a major initiative to stabilise the area after the fires, ACT Forests aerially seeded 7,000 hectares of burnt plantation with grass seeds during the spring of 2003. This has provided good ground cover throughout burnt areas as an interim protection measure until the new forests are established. Where is the credit they deserve for that one? It never enters the conversation.

Mrs Dunne: By your own admission, you have sprayed the Cotter catchment with herbicides, so there is no point doing that.

MR HARGREAVES: You are talking to yourself, Mrs Dunne; I am not listening to you. All I can hear is a mere babble in the distance. ACT Forests has constructed special soil conservation structures in a number of places where significant soil erosion has been occurring after heavy rain. It is also routinely establishing silt netting and hay bail sediment traps on erosion-prone areas within the burnt areas of the estate. These measures have proved successful in trapping some of the silt loads. A major focus of roadworks in the forest is a reduction of soil erosion from access roads. Pipes and drainage systems throughout the road network have been improved to deliver water run-off to vegetated and stabilised areas.

This work needs to continue for some time to get the standard of all roads in the catchment up to the level that is expected in water catchments. The reforestation program commenced in 2003 with about 800,000 seedlings being planted within the catchment. The drought prevented further plantings during the winter of 2004, other than on small areas that could be watered by hand. This year about one and a half million seedlings—a mixture of natives and pines—have been cultivated, with planting over the 2005 winter season. ACT Forests has established a very strong greening partnership with scientific experts, academics and organisations like Greening Australia, to ensure that the reforestation program achieves the best possible outcomes. This partnership was set up for three purposes:

- a forum for expert input into decisions about planting of pines and natives in the lower Cotter catchment;
- opportunities to engage the community in reforestation programs; and
- coordination of long-term monitoring and research within the catchment.

The work of this partnership involved a series of field visits to the catchment area, where ACT Forests staff and various experts stood on the land under consideration and discussed the best strategy for managing that land, including removing trees on steep land and weed control. Weed control is a vital part of the catchment restoration strategy, as without it the newly-planted natives and pine seedlings will be lost.

Greening Australia has been very active in the regreening partnership, and 20,000 native trees have been planted during 10 very well attended community planting days. I am sure members here have been out there—I know for sure that Mr Smyth has—and joined with me and stuck trees into the ground. These plantings have been on riparian zones and steep land in the catchment, as well as on the slopes of Mount Stromlo. From the outset, ACT Forests has worked with stakeholders and experts to ensure the best outcome. The revegetation strategy being applied is in line with the recommendations of the *Shaping our territory* report and has involved extensive consultation with academic scientists, community organisations and other government organisations.

Given the size of the operation and the range of challenges associated with the restoration and rehabilitation of burnt forest areas, the progress and achievements over the past two years have been significant. We have a long-term vision to establish 21st century best practice forests that will ensure that high quality water is available from the lower Cotter on an ongoing basis. This is being done in a manner that ensures the views of key stakeholders are being taken into account in improving ground works.

Finally, I wonder sometimes whether or not this is merely Mrs Dunne's softening up process for the people of the ACT to make sure that, if we do talk about an alternative water supply, we turn our attention on the Tennent dam and not on the Cotter. I really suspect that this is in fact a very mean and tricky way of softening people up for another assault on the catchment counter, and another of her attempts to get a dam out the back and disenfranchise and take property away from people in the Naas Valley.

MR SMYTH (Brindabella—Leader of the Opposition) (11.23): Today we have heard from the government their standard attack when somebody criticises them—that is to say, “Everybody else is wrong but us.” We had a number of fabulous examples from the Chief Minister, as he is so wont to do. It is now leading to people saying that they have been “Stanhoped”. A couple of key Canberrans have been “Stanhoped” in the course of this debate.

During the course of the debate from the Chief Minister we firstly heard that there was consensus from the committee and we then heard that it was unanimous—“unanimous” means everyone; total; the whole lot; all of them—but the Chief Minister should have actually read his report as he exhorted us to do. We have read his reports. We know that, when the child protection scandal was reviewed, he had not read any of the reports. I want to quote from page ix of the *Shaping our territory* document. This is the preface signed by Sandy Hollway, the chair. It says:

This document reflects a consensus on key ideas, rather than agreement on every detail or every point of wording.

That is “consensus on key ideas”. I guess the key idea is that we do something to protect the Cotter catchment. That is the key idea. As to how we do it, I am sure Peter Kanowski, Robert Wasson and Peter Cullen all had different ideas, and that is why this motion is so important. Mrs Dunne is calling for the documents that prove that what the Chief Minister says is correct—or perhaps incorrect. I would hope that, in the documents the government should table, we get the minutes of the meeting so we will know what people like Kanowski, Cullen and Wasson actually said.

The second tactic the Chief Minister always uses is shoot the messenger. “I don’t like what is being said about me, so I’m going to shoot the messenger. They are wrong because I am the Chief Minister.” We have a record of this: shoot Phil Chaney when he dares to criticise the Chief Minister, and shoot Rosemary Purdy when she dares to criticise him. They are experts in their fields, but they are shot as the messengers because they simply do not agree with the Chief Minister.

This motion is timely. The community is concerned about what is happening in their catchment and this government is not listening to community concerns. I have an email from a constituent that says that this government is technologically and potentially insane for showing complete disregard for the lives of the people of Canberra. It goes on to say that a lot of Canberrans feel strongly about this issue and says, “Please protest in the strongest terms.”

When we protest we get Mr Hargreaves’s ulterior motives defence and the Chief Minister’s attack the messenger defence, but we do not get a clear and concise picture about what has happened here and what we should do to fix it. As to what has happened here and how we should fix it, there was an interesting article by Sandy Hollway in yesterday’s *Canberra Times*. In the article Mr Hollway says:

The Steering Committee remains concerned that turbidity in the Cotter is likely to remain too high if pines are replanted throughout the catchment.

We know that some of the watercourses have been lined with natives, but a large percentage of the catchment will still go back to pines, which says that, from the steering committee’s point of view, that is not a desirable outcome. The last two paragraphs in this article from Mr Hollway are the most interesting. He says:

In these circumstances, what the Government could do was set in place a policy and a process which permits analysis rather than politics, emotion or greed to determine what is done to protect Canberra’s water catchments.

That seems reasonable. The article continues:

This the government has done, and as more or different analysis comes in the actions can be adjusted and reshaped.

This is the steering committee chair, the man who signed off on the document, the man who told the Chief Minister to go ahead; but he says that, as more or different analysis comes in, the actions can be adjusted and reshaped. Let us have that debate about adjustment and reshaping. But we on this side, and the community out there, cannot have that debate until we know what the government’s starting point was.

You get the Chief Minister saying, “We don’t know who these eminent scientists are.” I have heard Peter Cullen mention his views; I have heard John Wright talk about it and Bob Wasson. Alan Wade had his photo in the *Canberra Times*. If you do not know who he is and you cannot read, at least you could have seen his photo, to identify the gentleman as a visiting fellow at the ANU. They are leading scientists and they have stated opinions in the last week over this debate. Mr Stanhope’s defence is, “We have a consensus report.” We do not necessarily have a consensus report because, as Mr Hollway says, they did not always agree. The interesting thing is that, again in a *Canberra Times* article from yesterday, it says:

Scientists claim expert advice on the massive task of ecological repair after the devastating January 2003 bushfires has been ignored and have described the catchment as a “basket case”.

It goes on to say:

The ACT government claims key scientists were consulted...

I guess it is about your definition of consultation. This government has got form on consultation: “We will talk to you but we are not going to listen to you.” You only have to look at the Human Rights Bill, which had something like six consultation meetings with a total of 120 attendees. I understand the majority of them were against the Human Rights Bill being enacted, but what did we get? We got a Human Rights Bill. We had a deliberate polling exercise that saw the majority of participants in favour at the beginning of the exercise but, by the end, the majority declined. There was community consultation, and what did we get? We got what Jon Stanhope wanted anyway. That is not consultation, Mr Speaker; and you know that.

This debate is important. We have eminent scientists saying they are concerned, we have the community saying they are concerned and the government’s only defence is, “You are all wrong, we are setting our course, we are going to go the way we want to go anyway.” Then we get the snide defence. The Chief Minister stands up and says, “If I might call it a debate...”

Well, it is a debate, the debate is raging here in the Assembly now, and it has been raging in the *Canberra Times*. You have articles, you have op-eds, you have emails flying around the city. There is a debate about this and there has been a debate about this since the decision was taken to replant any pines at all. We have to make sure that the debate is guided by the words of Sandy Hollway—and I think the words are quite good—that the actions can be adjusted and reshaped. The intransigence of this government and the inability of this government to answer logically is why they will not take on board what is being said by the community. Again I refer to yesterday’s article in the *Canberra Times*. The second-last paragraph reads:

ACT Chief Minister Jon Stanhope declined to comment yesterday.

That is a lack of accountability. If you have a position, Chief Minister, you should be able to stand up and defend that position. The article goes on to say that a spokeswoman—not the Chief Minister—said that the Chief Minister regarded Mr Bartlett’s comments on the issue as “sufficient”. That is not a defence, and it is not

the Chief Minister expressing why he thinks we should not be having this argument. We do not think Mr Bartlett's comments on this are sufficient. We have Mr Hargreaves standing up saying, "The best defence is that I respect Tony Bartlett." I respect Tony Bartlett as well. I spent time with him up on the fire grounds during the week preceding 18 January and I know what a good forester and great firefighter he is, but hiding behind Tony Bartlett is not having the debate.

We see more and more often that the Chief Minister is unavailable for comment. That says to me it is either because you are incapable of commenting or you are afraid of commenting because you know that the position you have adopted is indefensible. That is the problem here. What we are getting here today is indefensible, and we will get rolled by the government's numbers. It is interesting that the Chief Minister chooses to do a little bit of backslapping and amend the motion. The motion is seeking information, it is about informing the debate. Later on we are going to have this debate on the Canberra plan, the Mick Gentleman special, the government's pat yourself on the back, soak up a couple of hours of private members day with self-congratulatory motions.

In the Canberra plan they talk about being inclusive, they talk about listening, they talk about building the community. And yet when you get a motion asking the government to allow the community to be part of the further and ongoing discussion, all we get is, "Omit all words after 'this Assembly' and substitute 'commends the government for its Cotter catchment restoration work.'" That flies against the spirit of the motion. Clearly, the amendment will get up, but the debate will not go away.

What you have said today has opened up more fronts and I think will give more concern in the community over your inability to listen, be responsive and act. Chief Minister, that is just arrogance. Your growing arrogance in the way you address these issues when they are brought to your attention is beginning to raise serious questions in the community about the way you govern this territory. There is concern out in the community. The government should not be saying to the community, "You are just wrong because we are the government and we are going to commend ourselves." What you should do is allay those fears. The best way to allay those fears is to answer the questions and table the documents. If you are right, then the fears will go away. What are you afraid of?

MR SPEAKER: The member's time has expired.

MRS DUNNE (Ginninderra) (11.33): I am not closing the debate; I am speaking to the amendment. This is the ACT ALP government's standard amendment to almost every motion that is put up on private members day that in some way may be inconvenient for the government. Today we have something that is obviously inconvenient to the government, because we have a motion that may challenge some of the Chief Minister's, the Minister for the Environment's, assumptions or assertions.

If the government does not want to table the documents and does not want to halt forestry operations until it is reviewed by this Assembly, it should have the strength of its convictions and vote against the motion. It should not do this weasel wording thing that it does on every occasion to turn every opportunity into a backslapping exercise for the government, because self-praise is no praise at all; it is no recommendation for anyone. If the only people who can praise you are yourselves, you are in a pretty parlous state. On this issue, in the community there is a very large group of people who are seriously

concerned about what is going on. If this government's only approach to this is to puff themselves up and say, "We are doing the best and no-one else can do better", then it is a very sorry state of affairs for the ACT.

This motion and this amendment are about the hubris of the government. It is a bit like what Mr Smyth was talking about last night in the adjournment debate—the command performance approach. This is about lording it over the people of the ACT who have particular concerns. This is not governing for the people; this is that Jon Stanhope, Minister for the Environment, is going to have his way at all costs.

If Jon Stanhope does not want to stop forestry operations in the catchment he should have the courage of his convictions, have the courage to stand up here and say, "I do not want it stopped, and I will vote that way." If he is too afraid to table the documents and show the discussion, let him have the courage of his convictions and say that; let him not turn this around into some jolly backslapping exercise, which is always the case here. This Chief Minister, this Minister for the Environment, does not have the courage to stand up here and say, "I will not consult. I will not take the people of the ACT into my confidence." He does not have the guts to do it and, because of that, we should not support this amendment.

This amendment is to do everything it possibly can to wipe away the record that someone raised here because they are too afraid to face the people of Canberra. This is what happened here yesterday, when the Minister for Health had the audacity to stand up in this place and say that the things that were said in the *Canberra Times* were needlessly alarmist. There may be some things that were said in the *Canberra Times* that did alarm people but it is not proper for the Minister for Health to come in here and say, "You should not be alarmed; do not panic; trust me. Trust Simon Corbell; everything is all right"—and rely on testing that happened in May and December last year.

Mr Corbell: Are you questioning the Chief Health Officer? Is that what you are doing?

MRS DUNNE: I am questioning the Minister for Health, who had the audacity to take advice, come in here and, on the strength of advice, which you may weigh in the balance, say, "There is nothing to be concerned about." They relied on evidence that was taken in May and December last year; they are not relying on evidence of what is happening now.

Mr Corbell: You're such an expert, aren't you? You're a real expert.

MR SPEAKER: Order, Mr Corbell.

MRS DUNNE: We also know that, as a result of concerns raised somewhere—and I am not saying they are concerns I have raised—the health department and Actew have decided that they are going to test the water that comes out of the treatment works. So there is a nagging doubt somewhere that there may be something wrong. I am not saying that there is anything wrong with the water supply. What I am saying is that we need to have the facts on the table and no-one, including the Minister for Health, has all the facts.

No Minister for Health should come in here and unequivocally say, "It is all right. There is nothing to be concerned about"—because we do not know for sure. When you do not know for sure, the general rule is that you apply the precautionary principle. When we

are talking about the security of our drinking water, we should be doubly cautious. It was the height of irresponsibility for the Minister for Health to come in here yesterday and say, “Don’t you worry; trust Simon Corbell; it is all right.”

Mr Corbell: Mr Speaker, I wish to raise a point of order concerning relevance. I do not think we are discussing water supply issues in the context of this motion.

MR SPEAKER: Mrs Dunne—who will make sure she is relevant.

MRS DUNNE: I will make sure that I am relevant. Talking about one of the water catchments from which we extract our drinking water, nothing could be more relevant to the argument. This motion seeks to put the documents on the table for the people of the ACT to digest, not to have the matter delivered through the cipher of *Shaping our territory*, a press release from the Chief Minister or an answer to a Dorothy Dixer from the Minister for Health, but to put the documents on the table—the minutes and dissenting comments—so that people can observe them, so that the people of the ACT and the ACT Legislative Assembly can make a proper study of whether this is the right way forward. This is why the Assembly cannot support this pathetic amendment from the Chief Minister and Minister for the Environment.

Question put:

That **Mr Stanhope’s** amendment be agreed to.

The Assembly voted—

Ayes 8

Noes 7

Mr Berry	Mr Hargreaves	Mrs Burke	Mr Pratt
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Smyth
Ms Gallagher	Ms Porter	Dr Foskey	Mr Stefaniak
Mr Gentleman	Mr Stanhope	Mr Mulcahy	

Question so resolved in the affirmative.

MRS DUNNE (Ginninderra) (11.43), in reply: Mr Speaker, the motion now reads, “That this Assembly commends the government for its catchment restoration work.” The Liberal opposition will be voting against this motion. Again, we have the arrogance of the Chief Minister and a government who think that, “Because nine beats eight every time in this place, we can do exactly what we want. We can do in the Cotter catchment exactly what we want, despite the advice of eminent scientists. We can do exactly what we want in response to the bushfire recovery, despite what people said, just because we can.”

This is yet another example of this government, as I said before, lording it over the people of the ACT rather than governing on their behalf. What we have seen today is the classic Stanhope government arrogance. We have had: “shoot the messenger”; “how dare the *Canberra Times* criticise us”; and “how dare eminent scientists criticise us?” We have had Mr Hargreaves thinking that there is something funny going on because members of the opposition can use the forms of the house to (a) ask a question and (b)

put something on the notice paper. Watch this space, Mr Hargreaves—there will be a lot more questions on this.

Mr Pratt: We can chew gum and walk at the same time!

MRS DUNNE: Yes, we can chew gum and walk at the same time, which is more than we see for some of those opposite.

MR SPEAKER: Relevance, Mrs Dunne.

MRS DUNNE: Here we have another instance of “Stanhoping”. We have brought it out in the open, we have waved it around and said, “This is what this government did.” Mr Hargreaves said, “That is what I will do; I will “Stanhope” somebody and I will say that ACT Forests are doing a fantastic job, and therefore you cannot criticise us.”

ACT Forests do not make policy about whether or not to plant pines in the lower Cotter catchment, this government does. ACT Forests are doing their job; they are doing what the ACT government told them to do. They can bask in that light if they like, but they have to remember that the buck stops with them. They may not be held accountable today but somewhere, at some time, this arrogant government will be held accountable for its failure to take the people of the ACT into its confidence, for its failure to be completely up front about what is happening with our water supply, for its consistent failure to really address the issues of the major degradation of the lower Cotter catchment.

Mr Hargreaves, when “Stanhoping” ACT Forests, talked about a whole lot of things that have been done. It was still faint praise, though, because he said, “We are doing things that will stop some of the silt running into the river.” It is quite obvious. You do not need a PhD in natural resources to tell you that there are tonnes and tonnes of silt—possibly pesticide-laden silt—running into the Cotter catchment. You do not need a degree to be able to see that for yourself; you do not need a degree in environmental science to see that this government is failing monumentally in the first thing it is supposed to be doing according to this document, which is managing the lower Cotter catchment for water quality.

In this document there is no single line this Chief Minister can point to and say, “This line definitively says that we must plant pines in the lower Cotter catchment.” It is not there. And there is no line in there where this Chief Minister can verbal one of the foremost freshwater ecologists in this country and say that Professor Cullen signed up to planting pines in the lower Cotter catchment. As Mr Smyth rightly pointed out, this was a consensus document about broad concepts; it was not drafted by the steering committee.

For the Chief Minister to come in here and say—and on the media—that Peter Cullen signed up to every word in this document is wrong. It is possibly misleading to the people of the ACT and possibly misleading to this Assembly. In respect of any other persons on the list at the back, to say that Terry Snow signed up to planting pines in the ACT in the lower Cotter catchment is misleading, or that Rob Tonkin—

Mr Smyth: Or Rob Tonkin.

MRS DUNNE: Rob Tonkin knows a whole lot about it.

Mr Hargreaves: Mr Speaker, I rise on a point of order. I do not like the use of the term. Mrs Dunne has suggested that referring to Mr Terry Snow was misleading. I ask her to withdraw that.

Mr Smyth: No, she didn't.

Mr Hargreaves: Check *Hansard*, Mr Smyth; you are suffering deafness. She said that that is misleading.

MR SPEAKER: I did not hear that particular reference but I did hear a reference to Mr Stanhope possibly misleading the Assembly. That can only be dealt with by way of a substantive motion. I would ask you to withdraw that, Mrs Dunne.

MRS DUNNE: I withdraw that. There are a whole lot of people who are supposed to have signed up to a mythical line in here that says, "Plant pines in the lower Cotter catchment". If you read it, it tells you the main thing you have to do in the lower Cotter catchment. It says:

The land should be managed primarily with the objective of maximising water quality (particularly minimising turbidity).

This government has failed on that principal premise. It also says that priority should be given to revegetation of the riparian zone with native species—that is happening—and that suitable vegetation should be restored as soon as practicable across the balance of the catchment, taking into account a whole lot of things. One of those things is planting pines for a commercial purpose. The principal reason they want to plant pines for a commercial purpose is that, somewhere down the track, we might recoup the costs of replanting.

What we are doing is going after the dollar at the cost of everything else. No matter what we do in the lower Cotter catchment, because we let it burn down and because we did not do what we should have done on 8 January, it is going to be hideously expensive. It is going to cost us a lot of money, it is going to cost us a lot of time and effort, and then we have to make some choices. Do we spend that money with the prospect of a good environmental outcome or a bad environmental outcome, so that we can follow the dollar, if we like, and some time, about 2029—if you really believe these figures—we might get a return; but at what environmental cost?

Let us look at the options. We could plant pines, as the government has done. I have been fairly vocal for a long time—and I will quote from May 2004. The reasons why we might not plant pines—not being absolutely definitive—is because pines are highly inflammable; they do not regenerate after fire; pines create a monoculture which is not ideal for catchment areas. The only way to manage pines is to clear-fell them every 30 or 40 years, creating more erosion, more turbidity and more agricultural chemicals washed into the soil.

Mr Hargreaves: That is rubbish. You do it selectively.

MR SPEAKER: Order, Mr Hargreaves.

MRS DUNNE: You do not know anything about forests, Mr Hargreaves. You are a disgrace.

Mr Hargreaves: You are not talking to me like you do the students at O Week! Don't bully me!

MR SPEAKER: Order, Mr Hargreaves.

MRS DUNNE: The evidence before the fires showed that pines do not do very well in the Canberra region because of soil type and rainfall. There are a whole lot of other things that we could do in the place. We could replant to native bush and grasses, we could plant, in selective ways, a variety of native and exotic trees that might be used for commercial purposes in the future. That could be rare cabinet timbers, cork or oak—all of those sorts of things. There could also be, in some very limited areas, commercial cropping but it would have to be low impact commercial cropping.

There are a whole lot of things that were not considered here, in any clear way. We have seen this government having made up its mind. I do not know if they were pressured, but they have made a wrong decision and they are incapable of turning back. This amendment, which has succeeded, has shown just how incapable they are of turning back and how incapable, as a group of human beings, they are of looking at their decision, weighing it up and seeing whether it was the right decision. This government made a wrong decision, and it has reinforced that wrong decision today in this place. One day it will reap the whirlwind. One day these people will be held to account for it, but today is obviously not going to be that day.

Question put:

That **Mrs Dunne's** motion, as amended, be agreed to.

The Assembly voted—

Ayes 8

Noes 7

Mr Berry	Mr Hargreaves	Mrs Burke	Mr Pratt
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Smyth
Ms Gallagher	Ms Porter	Dr Foskey	Mr Stefaniak
Mr Gentleman	Mr Stanhope	Mr Mulcahy	

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Smoking in public places

DR FOSKEY (Molonglo) (11.55): I move:

That this Assembly:

- (1) recognises the passage of the Smoking (Prohibition in Enclosed Public Places) Amendment Act 2005 removed the definition of “enclosed public place” in the Smoking (Prohibition in Enclosed Public Places) Act 2003 and replaced it with a reference to “a public place, or part of a public place, that is enclosed as prescribed by regulation”; and
- (2) calls on the ACT Government to ensure that the consequent regulation:
 - (a) is based on the precautionary principle;
 - (b) makes workers’ and patrons’ health the first priority;
 - (c) ensures that risk to the public is the primary consideration in determining the degree of enclosure permitted in smoking places;
 - (d) is consistent with the analysis of the government’s own Regulatory Impact Statements on smoking prohibition legislation;
 - (e) complies with ACT Occupational Health and Safety law and is consistent with National Occupational Health and Safety Commission recommendations; and
 - (f) in the interest of the health and wellbeing of people with gambling problems, does not permit smoking in the same place as, or in sight of, gaming machines.

If you trawl through the original debate on this smoking legislation, you will see that members talked a lot about smoke-free workplaces and smoke-free public places. During that debate in November 2003, Minister Corbell made the point that smoke-free areas in pubs and clubs were not smoke-free. He referred to the ACT Health Protection Service’s report on air quality monitoring for environmental tobacco smoke, which indicated that nowhere with environmental tobacco smoke was safe.

Mr Corbell also talked about the regulatory impact statement that the government had commissioned and advised the Assembly how much better the legislation could be if the Assembly were to await the release of that information. The government has had a second regulatory impact statement since June last year, although it only released it in February this year, which specifically addressed the issue of amending the act in regard to defining an unenclosed place. It was quite specific in its analysis and findings.

In brief, on the issue of the degree of enclosure that should be allowed for smoking places, it found that the public health risk of a mostly enclosed place—let us say, and it is not even theoretical any more, 75 per cent enclosed—is not much better than that of a totally enclosed space. It is at the other end of the spectrum that there is a health advantage for patrons and workers. To quote the key finding of this report:

In the absence of evidence to the contrary, there will be a public health benefit in reducing the degree to which an area must be enclosed. That is, the more unenclosed the area is, the greater will be the likely health benefits.

I would like to knock on the head one furphy that was raised by the minister in the newspaper today, which is that of the legal advice. It should be remembered that the intention of the law, clearly expressed when the issue was debated in the Assembly and supported by the government, was to create smoke-free workplaces and entertainment venues, not simply to ensure that indoor rooms can be kept smoke-free by providing for the establishment of outdoor rooms.

It may well be that enclosure of less than 75 per cent for an unenclosed place would have been defensible at law as the legislation was first drafted. We have, however, changed the act and now the government has an opportunity to define an unenclosed place by regulation however it likes. What we do not understand yet is why it likes a 75:25 rule. Clearly, that has nothing to do with public health.

The government and the department have had every opportunity to provide us with some evidence-based or science-based health analysis to justify the 75:25 rule. There has been none. The government's own Health Protection Service found, in effect, that all environmental tobacco smoke is bad. The regulatory impact statement that the government commissioned of the Allen Consulting Group specifically addressing the issue of enclosure found that less enclosure is clearly better.

The health minister and department have had numerous opportunities over the past few weeks to come good with a strong argument. We have seen no evidence to support this government's position—not a scrap, nothing, zilch, nada. Is there an evidence-based approach to policy? Evidently not. There is no doubt that they simply do not want to deal with the issue. I would be intrigued to know what was the advice in detail from the health department. How comfortable are they with a regime that established smoking rooms in this way? Would they rather have seen a 50:50 or a 25:75 rule instead?

The trouble, of course, is that the 75:25 rule will not be the end of it, as Mr Corbell foreshadowed in an ABC interview this morning. The 75:25 rule is clearly at the conservative end of Australian practice and clubs and pubs, if we pursue this route, will not have the certainty that they need. So the minister's failure to take on this issue will come back to bite him and the clubs and pubs and their workers and patrons in the meantime.

I should add that a lot of us who oppose the 75:25 rule are practising or lapsed tobacco smokers. This is not about persecution. People should be able to have a fag if they want to. As the survey conducted by the heart foundation showed, most smokers are happy to obey laws and respect smoke-free places. In fact, they appreciate the discipline that restricts them from smoking in smoke-free places. But this motion is about health and the principles of public policy.

What will the 75:25 rule mean? It will mean a room of three walls and a ceiling and a few strategically placed windbreaks, a bar, access to a few poker machines perhaps, and a gas heater in winter. Of course, clubs and pubs will want to make their patrons comfortable. The more comfortable smokers are, the more they and their friends and the staff will inhabit that smoky area—the staff not by choice, by the way—a place where environmental tobacco smoke has built up both because of the degree of enclosure and

because of the consequent intensity of activity. By creating a 75:25 rule, you will maximise the damage to the health of patrons and workers.

I do think it is worth including in this debate some of the media release put out by ASH this morning, countersigned by the LHMU and the Musicians Union of Australia. The media release, titled "No staff should have to work in smoky areas", reads:

The SmokeFree Australia coalition of health and trade union groups—
friends of the Labor Party, I imagine—

including bar workers, musicians and entertainers—says no-one should be expected to work in any area where smoking is permitted, whether enclosed or not.

Says coalition spokesperson Tim Ferrari of the LHMU hospitality union ... "Such rooms would present a major health risk to anyone going into them," ...

"The paramount consideration of smokefree venue laws," says Terry Noone of the Musicians Union of Australia, "should be to protect workers and the public from the known dangers of passive smoking in these venues. No bar worker or entertainer should be expected to work in conditions in which they are repeatedly exposed to secondhand smoke, whether or not the area is fully enclosed."

We are probably all well aware that most of the casual workers who make up the hospitality work force are young people with very little say over their working conditions. So the whole question of OH&S is clearly something that this government needs to face up to, bearing in mind too that so many bar workers and musicians are young, as I have said, and vulnerable in terms of industrial strength, something that I would have thought that this government, especially the Minister for Health, would hold close to its heart.

It is not as if there is such a massive queue of Canberra residents, even smokers, wanting such protection for their unenclosed places. Yesterday, the heart foundation and ASH released a survey of a representative sample of 350 residents across Canberra that showed that 84 per cent of those surveyed thought it was not acceptable for smoking to be permitted in public places that are up to 74.9 per cent enclosed by walls and a roof or ceiling; that more than eight people in 10 support smoking being allowed only in public spaces that are fully open—without walls or roof; that fewer than three in 10 support smoking being allowed in rooms which are 50 per cent enclosed; that fewer than one in 10 support smoking being allowed in rooms which are 70 per cent or more enclosed; and that a majority of smokers, for whom these areas would be provided, believe that smoking should be allowed only in fully open areas.

According to Eileen Jerga, chief executive of the heart foundation's ACT division:

These results show overwhelming support for smokefree places to be exactly what they say: fully smokefree. The ACT community's expectations are reasonable—they've been led to believe that when the present smokefree exemptions finish at the end of 2006, smoking will not be allowed in enclosed areas. Hardly anyone—not even smokers—accepts that areas more than 70% enclosed should be defined as "unenclosed" and smoking allowed in them.

I return to the question of why it is so. We were first alerted to the issue by an item in the December edition of the ClubsACT newsletter, called “Smoking bans—the domino effect”. The article made the point that the legislation was a concern for clubs, although they would work with it, and that “unenclosed space” was a bit of a grey area, but they had agreement on a guideline—in effect, the 75:25 rule—which they could live with. That item was accompanied by a graph showing a drop in Victorian gaming revenue and revenue growth following the introduction of a ban on smoking in Victorian gaming rooms. So the club industry in the ACT sees a link between less smoking and lower gaming revenue.

I remind the Assembly that in 2003, 22 problem gambling services in New South Wales united in a call precisely for smoke-free gaming venues for two reasons. It would ensure that smokers who have a problem with poker machines—pokies are the biggest site for problem gambling, especially among older people—at least get a break from their machines when they want a smoke. A break is a key harm-minimisation strategy for people with gambling problems; so that would be good. It would also ensure that consistent pokie players, who statistically smoke lots of cigarettes, actually smoke less. That would be good, too.

It has been established that if you retain contact with your machine by having it in view when you smoke, or perhaps by having the machines outside in an unenclosed place, then you will gamble more. I can see no moral reason to encourage this link between poker machines and cigarettes. Whilst I understand that clubs, like all businesses, want to maximise their income, I think that the obvious welfare and health benefits of losing smoking in gaming and drinking venues outweighs the marginal private profitability that comes from keeping people gambling and smoking.

Given that the health minister is unable to provide us with any health-based arguments for the 75:25 rule and that it is likely to have an exponentially greater adverse impact on the health of staff and patrons, we can be forgiven for assuming that the rule is now just a sop to the clubs. Of course, it may be that individuals might choose to smoke, drink and gamble less; they really might. There is a fug we get into with drinking and smoking and with drinking, smoking and gambling. It may be that the business is built up around the dangerous end of that form of social behaviour.

For a whole number of health and wellbeing indicators, it would be good to move away from that kind of alcohol and tobacco indulgence. It does not make us wowsers if we choose a healthier outcome. The Minister for Health must be being derelict in his duties if he is proposing a regulation that cannot be defended on health grounds.

As for the proposed amendment to my motion, it is very much just a description of the situation as it applies. It does not address our concerns. I am very disappointed that in this case the government is refusing to listen to the health concerns of constituents and that it is not willing to address those. I am very interested in hearing what the health minister has to say. I am looking forward to hearing the health evidence on which this regulation is based. I will speak to that later in wrapping up.

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (12.09): Mr Speaker, the government will not be supporting the motion in the form it is in today

and I foreshadow that I will be moving an amendment shortly which I think better reflects the complexities of this issue.

The ACT's achievements in tobacco control and other public health initiatives are at least partly attributable to a non-partisan approach in which these issues have been prevented from degenerating into political slanging matches. The cooperative approach to health protection and health promotion has all been to the benefit of the ACT community. Therefore, I think that it is quite regrettable that a major public health achievement—and there is no denying that that is clearly what we are talking about—is being used as an opportunity for political point scoring.

Let us look at the facts of this matter. It was the Labor government that conducted a public consultation on the phasing out of the current exemption system, which found strong public support for smoke-free, enclosed—enclosed—public places at the earliest opportunity. It was the government that tested for, and found, environmental tobacco smoke in dozens of hospitality premises, it was the government that gave a commitment to phase out the exemption system and it was the government's amendments that ensured the exemption system would end at the earliest possible date rather than at a later date, as had been suggested by the opposition and other members of the previous Assembly.

As it was, there were a number of problematic aspects of the legislation that was rushed through in November 2003. Reliance on the problematic phrase “substantially enclosed” was one of them. Had the government been given another few months to develop and introduce its own legislation, completed its regulatory impact statement, it would have been able to better develop a policy response which addressed a range of issues, including the meaning of “enclosed”. It could have been clarified at the outset.

Although exemptions do not end until December 2006, the meaning of “enclosed” is fundamental to the understanding of where smoking will be prohibited and where it will be permitted. ACT Health, therefore, developed a set of interpretative guidelines to provide information on how enforcement officers would interpret “substantially enclosed”, thereby providing clearer guidance. That, at the time, was all that was possible, given the limitations of the definition, which was common to both the Smoke-free Areas (Enclosed Public Places) Act 1994 and the Smoking (Prohibition in Enclosed Public Places) Act 2003.

Mr Speaker, because interpretative guidelines are only an administrative instrument and do not carry the weight of law, a more formal and comprehensive approach was required for the proprietors, customers and enforcement officers. However, not even the regulatory impact statements that the government conducted were able to say with certainty how to define an enclosed area for the purposes of the legislation.

I note that, throughout her speech, Dr Foskey deliberately avoided stating what she believed should be the appropriate definition. She asserts that the government's definition is inadequate, but she does not assert how she would define it—explicitly, not in general terms, because that is what is needed.

I and other members have received numerous representations from health groups, from hospitality groups and from industrial groups who all hold strong views about what

“enclosed” should mean. I, the government and, I am sure, other members have listened closely to those views.

Several things have become clear in relation to the definition of “enclosed”. Firstly, there is no national or international consensus on how to define “enclosed public place” in terms of smoke-free public places legislation. Secondly, the ACT is seeking to resolve a difficult and complex issue relating to this definition and, in fact, is in advance of other states and territories in doing so. Thirdly, the absence of conclusive scientific evidence means that, if we are to move forward, we must do so with a view to balancing a range of priorities and interests.

There is no clear answer to the fundamental question of the extent to which the various priorities and interests compete or coincide. What we do know is that the regulatory impact statement found that removing exemptions would result in an overall net benefit to the ACT community, conservatively estimated to be worth more than \$240 million over the next 30 years; that there would be substantial health benefits from reductions in both active and passive smoking; and that the risks of short-term impacts on businesses would be reduced to the extent that proprietors used the time between now and December 2006 to prepare their premises, staff and customers for the change to non-smoking.

The estimated benefits are conservative because they focus only on the difference it would make when exempt premises became smoke free. It is not possible for the regulatory impact statements to put a figure on the benefits to patrons of not being exposed to tobacco smoke, although these benefits could be substantial. One of the major benefits of the removal of the exemption system would be a reduction in passive smoke exposure for the employees of these premises, resulting in fewer passive smoking related illnesses and deaths.

The regulatory impact studies also note that the removal of the exemption system would result in reductions in active smoking. It has been found that smoke-free social venues can encourage and support people to stop smoking. It can reduce the amount that remaining smokers smoke and it can discourage the uptake of smoking by young people.

Mr Speaker, I think it is important to emphasise at this point the significance of the change that we are proposing. This is not some minor change. This is the removal of smoking from all indoor premises—all indoor premises. If you go to a nightclub, if you go to a dance party, if you go to a bar, if you go to a club with gaming machines, you will not be able to smoke indoors any more. That is a significant change for our community and it should not be underestimated or underplayed in the context of a discussion about how we manage the interface between indoor and outdoor spaces.

As members would know, the ACT was the first Australian jurisdiction to enact legislation requiring all enclosed public places to be non-smoking, with no exceptions. Whilst nearly all Australian states and territories have now enacted such legislation, none of this will take effect until 2006. Two jurisdictions will have their legislation take effect in the middle of 2006. The ACT will be the third jurisdiction for its prohibition to take effect. The government is committed to establishing non-smoking in all enclosed public places because it does believe that this would be a major step for public health in the ACT.

As I have indicated before, Dr Foskey criticises the government's definition, but she puts forward none of her own. She does not attempt to grapple with the complexity of the issue. Instead, she makes broad, wide-ranging assertions, but she does not tackle the key issue: how do you define "enclosed" and "unenclosed"? As I have already indicated, the regulatory impact statement does not find that there is any universally accepted way of defining these areas.

The RIS examined the issues around the meaning of "enclosed" and supported a tightening of the definition so that it was more restrictive. The RIS also supported a move to formalise a definition in legislation rather than relying on interpretative guidelines. The RIS also contained a table with examples of the wide variety of approaches to the meaning of "enclosed" that have been adopted in Australia and round the world. In fact, the RIS is quite clear in its conclusion, saying:

There is no agreed definition across Australian (and overseas) jurisdictions as to how to differentiate between spaces where ETS is and is not likely to be a problem.

The RIS also highlighted the difficulties in coming up with a magic formula. The report states:

The fundamental problem with setting a precise definition is that there is no definitive scientific study which provides a basis for comparison of [tobacco smoke] exposure of a three-sided room versus a one-sided room, and so on.

The RIS concludes:

There is no specific medical or scientific guidance as to precisely what threshold of enclosed is problematic (ie, at what degree of non-enclosedness do net costs become generated?).

The RIS goes on:

Some guidance can be taken from approaches adopted in other jurisdictions and other regulatory environments, but these definitions must be acknowledged as having been also developed without any clear scientific and medical evidence as to the degree of enclosure that is necessary to reduce tobacco smoke exposures to a reasonable level.

The RIS also notes that there is no known safe level of exposure to ETS. That was also acknowledged in the government's response to ACT Health's indoor air quality report on exempt premises.

Under the current exemption system, smoking occurs in up to 50 per cent of the public area of exempt premises and has been found to affect non-smoking areas as well. Removing the exemption system will put an end to that. So it is not solely about banning smoking in those areas where it is currently permitted. It is also about protecting those non-smoking areas that we have found are not non-smoking.

The primary objective of the smoke-free places legislation is to minimise people's exposure to environmental smoke in enclosed public places. The Assembly did not vote

to ban smoking in outdoor areas. It specifically did not address that question. That is why we are debating this issue today.

I want to refer quickly to the heart foundation's survey. The heart foundation surveyed around 300 people: 80 per cent of those people were non-smokers and 20 per cent of them were smokers. Not surprisingly, it found that 80 per cent of the people supported a ban on smoking outdoors. That is not particularly surprising, Mr Speaker, if you are a non-smoker. But the issue at hand is: how do you manage the interface between smoking which is not indoors, which is not affecting areas indoors which are smoke free but which are not outdoors either, such as a veranda or a pergola? How do you manage that? How do you define that? That is what the government is seeking to do through its regulations.

Dr Foskey made a point about workers' health. The government takes workers' health, particularly in the workplace, extremely seriously. The smoke-free public places legislation does not replace or supersede an employer's occupational health and safety obligations. Any employers who allows smoking to occur in a non-enclosed area will need to consider very carefully how their obligations for employee health will be met. Proprietors of exempt premises are advised that they still need to consider their statutory and common law obligations, including obligations under relevant occupational health and safety legislation.

The government has a longstanding commitment to a comprehensive tobacco control strategy and I am sure that, following my comments today, it could not be suggested otherwise. We are also proud to have played a national leadership role with a number of our legislative measures. The definition of "enclosed" looks like being no exception. It is perhaps for that reason that it has attracted a lot of attention from national bodies as well as local organisations. In less than two years, people will be able to go anywhere in Canberra and enjoy a meal, a drink with friends or a visit to a club without having to breath other people's tobacco smoke. I think that most people would consider that to be a major public health advance.

I would like to conclude by addressing Dr Foskey's assertion that we are somehow in league with the clubs on this issue and we are providing some sort of sop to the clubs. If that were the case, Mr Speaker, the government would not have brought in a complete ban in all enclosed areas. We know that the club industry asserted that there would be a significant reduction in gaming revenue and patronage as a result of these measures, but we have done it anyway, and we disagree with the clubs' assertion as to the extent of any downturn, both in the short and the medium term, of gaming machine revenue.

Mr Speaker, the government cannot support the motion as moved by Dr Foskey today. I have circulated an amendment. I would now like to move the amendment circulated in my name to Dr Foskey's motion. I move:

Omit paragraph (2), substitute:

“(2) further recognises that:

- (a) the ACT will become the third jurisdiction in Australia to implement a complete prohibition on smoking in all indoor areas when the Smoking

(Prohibition in Enclosed Public Places) Act 2003 takes effect on 1 December 2006;

- (b) the Regulatory Impact Statement (RIS) on the proposed prohibition identified long-term benefits to the Canberra community of over \$241 million;
- (c) the RIS concluded that “There is no agreed definition across Australian (and overseas) jurisdictions as to how to differentiate between spaces where environmental tobacco smoke is and is not likely to be a problem.”;
- (d) the RIS further identified “There is no definitive scientific study which provides the basis for comparison of (tobacco smoke) exposure of a three-sided room versus a one-sided room, and so on.”;
- (e) the ACT Government continues to actively promote tobacco cessation programs and other initiatives including:
 - (i) the banning of cigarette vending machines;
 - (ii) \$439,000 on a range of tobacco cessation programs over the past two financial years; and
 - (iii) pursuing a national approach to smoking health warnings in cinema advertising prior to the screening of films; and
- (f) the ACT has one of the lowest adult smoking prevalence rates in Australia, at less than 19%. This includes the nation’s lowest smoking prevalence rate for the 30-39 age group (at just under 20%) and for the 50-59 age group (at less than 15%).”.

MR GENTLEMAN (Brindabella) (12.24): I support the minister’s amendment. No-one would deny that the subject of this motion is important. However, the motion itself is not worthy of support. It is too easy to lose perspective in terms of where we are and where we are going in relation to smoke-free enclosed public places and it is worth while to take an objective look at the situation.

What we have at present is a situation in which nearly half of all licensed premises in the ACT have an exemption that allows smoking to occur in a significant part of a public area. In practice, this means bars and gaming areas. It means that, despite compliance with exemption criteria, thousands of customers, patrons and hospitality workers are exposed to tobacco smoke, not only in smoking areas but in non-smoking areas as well, as we found out from the ACT Health study of indoor air quality which was tabled in September 2003.

From 1 December 2006, when the exemption system ends, that will no longer occur. It is simply no longer going to be the case that people will have to be exposed to tobacco smoke when they go out to enjoy a meal, a drink or an evening at the club. Under current arrangements there is, in many premises, no real choice of a smoke-free area. With smoking occurring in up to half of the public area of an exempt licensed pub or club, tobacco smoke exposure affects large numbers of patrons and employees. Meeting exemption conditions does not mean that there is protection from tobacco smoke.

This situation will improve when the exemptions end and smoking is prohibited in all enclosed public spaces. Commencing on 1 December 2006, the only public areas where smoking will occur will be areas that are open to the outdoors by more than 25 per cent. That means more than 25 per cent of the enclosable area of the roof and surrounding walls. Once this happens, protection from tobacco smoke will no longer rely on mechanical airconditioning and ventilation systems, which have been found to be of only limited effectiveness in removing tobacco smoke.

There is no legislative requirement for anyone to provide an unenclosed smoking area and the legislation is not prescriptive in terms of such areas. This means that, as long as smoking is prohibited in areas that are enclosed, it will be up to the proprietors to decide what approach to take in terms of specific arrangements for any unenclosed areas where smoking occurs. I expect that what we will see in the majority of cases will be areas used for smoking which will have basic facilities to accommodate people who are there for relatively short periods. With the main activities occurring in the indoor areas, it is likely that smokers will want, and will be encouraged, to return to those indoor areas as quickly as possible.

Mr Speaker, this motion addresses an important issue: smoking in enclosed public places. It is an issue about which enormous progress is being made and I believe that the government should be supported in its efforts. I urge the Assembly to agree to the amendment.

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

Sitting suspended from 12.27 to 2.30 pm.

Visitors

MR SPEAKER: I would like to acknowledge the presence in the gallery of the Assembly today participants in the University of the Third Age program.

Questions without notice

Mr Rob Tonkin

MR SMYTH: My question is to the Chief Minister. I refer to the schedule D contract variation that you signed in March 2004 creating the position of Special Adviser, COAG and Intergovernmental Relations. There should be a performance agreement as part of this contract, specifying certain criteria to be met and outlining key results to be achieved. What are the provisions of the performance agreement associated with Mr Tonkin's contract variation that you signed in March last year? What performance criteria must he meet and what other key results does he have to achieve in return for the salary of \$309,000 that the ACT taxpayer provides?

MR STANHOPE: I do not have any of the documentation in relation to Mr Tonkin's secondment to the Prime Minister's department with me. As I indicated yesterday, the matter has been referred to the ACT Auditor-General and to the ACT public service commissioner for review and for report. I think there is an issue around my pre-empting

the outcomes of that particular process. I am not quite sure exactly what either the Auditor-General or the commissioner at this stage proposes to do with the request for investigation or inquiry into issues around the secondment of Mr Tonkin to the Prime Minister's department.

Let me reiterate that Mr Tonkin did accept the secondment to the Prime Minister's department in November, or towards the end of, 2003. Mr Tonkin is a very senior, very experienced and extremely good public servant and I have to say I was very pleased that he was able to accept an appointment with the Prime Minister's department to head up the COAG inquiry into bushfires within Australia. It was a very significant piece of work that Mr Tonkin oversaw in that capacity, and the fruits of the work that Mr Tonkin did in that role will be to the benefit of all of Australia—indeed to all Australians—and quite particularly of course to the people of the ACT, having regard to the very significant impact of the 2003 fires on the ACT and of course the very detailed and specific understanding that Mr Tonkin achieved through that experience and his involvement in issues around the bushfire here in the ACT. I think it is probably fair to say that at that stage he had a level of insight and a level of understanding around bushfire issues that very few other senior officers would have had.

In relation to the administrative arrangements, an Office of Special Adviser, COAG and Intergovernmental Relations, was created to support Mr Tonkin's chief executive status and conditions during that secondment. Those administrative arrangements, I understand, were made on 9 February 2004. An instrument was then issued under the Financial Management Act, which involved the Chief Minister's Department supporting that office. An annual report was provided as part of the 2003-04 Chief Minister's Department report to meet the requirements of the annual reports act and to ensure that there was transparency to the arrangements. The arrangements were considered the most effective way to sustain Mr Tonkin's terms and conditions as a chief executive while enabling ongoing management arrangements for the Chief Minister's Department.

I am advised that the Public Sector Management Act permits secondments to other governments, and the steps taken through that arrangement to support Mr Tonkin did result indeed from his status as a chief executive. I do propose some amendments to the Public Sector Management Act to deal with the existing incredibly inflexible executive employment arrangements that currently apply under the Public Sector Management Act. They are inflexible to the point of being essentially incapable of allowing any reasonable management of a senior executive.

In fact, a bill was introduced last year to redress the impact of the more restrictive elements of the chief executive and executive employment framework. In addition, there are some other technical changes that would result from the passage of that particular legislation to facilitate transfers of executives and chief executives, but that is a debate for another day. It is something that I propose to proceed with. As I just mentioned, a bill was introduced last year, but it lapsed at the end of the last parliament and I have not yet reintroduced it. But it is something that has been referred to me for reintroduction and something that I will proceed with.

It is, by way of conclusion, relevant to note that under the last Liberal government there were a number of secondments to other departments of very senior executives, including

the former executive director, office of strategy and public administration, executive level 3.8; the former executive director, business development and tourism; and the chief executive of the Canberra Hospital.

MR SMYTH: I have a supplementary question, Mr Speaker. Chief Minister, I appreciate that you do not have it with you, but will you table the current performance agreement for the special adviser in the Assembly by close of business today?

MR STANHOPE: I will take the question on notice, Mr Speaker.

ACT Forests—use of pesticides

MS MacDONALD: My question is directed to the Chief Minister. I refer to the *Canberra Times* report of Tuesday 8 March regarding water. Can the Chief Minister reassure the Canberra community that the *Canberra Times* report of Tuesday 8 March about the likely presence of 2,4-D in the herbicide Crossbow used by ACT Forests was utterly wrong and needlessly alarmist?

MR STANHOPE: It is a very important question. Yesterday the *Canberra Times* carried a story that stated precisely that: that it was likely that 2,4-D was in herbicides being used by ACT Forests. I am incontrovertibly assured by Dow, the Australian manufacturer, that the Australian version of Crossbow does not contain 2,4-D.

I am also assured by Dow that the statement included in the *Canberra Times* is a nonsense statement. It is nonsense to say, as the *Canberra Times* did, that 2,4-D was likely to be present in the product in the form of another chemical. I am assured that one chemical cannot be present in the form of another entirely different chemical, as claimed by the *Canberra Times*.

I am also told that yesterday the *Canberra Times* was informed by Dow that the herbicide used by ACT Forests categorically did not contain 2,4-D. Yesterday Dow advised the *Canberra Times* that the herbicide used by ACT Forests categorically did not contain 2,4-D and that the report of the possible use of 2,4-D in the catchment was wrong.

Unfortunately, no correction was carried in today's paper. There was no attempt to alleviate any unfounded fears or anxieties the newspaper may have generated in the community. There was no attempt to set the record straight, as a journal of record ought to do when it finds it has planted a seed that ought not to have been planted in the public mind.

That does not surprise us. The *Canberra Times* coverage of the catchment in recent days has hardly been exemplary. The scientists quoted by the *Canberra Times* are—I am sure you have all noticed—invariably “leading scientists”. The government's responses are always “claims”. So leading scientists say one thing, and the government claims another. Objective reporting?

Who are these leading scientists? Most of the time they have remained conveniently anonymous. But sometimes they are named, such as the leading water quality scientist. I understand that again today the *Canberra Times* described him as the “leading urban

water quality scientist, Dr Marcus Scammell". Dr Scammell is in fact a marine ecologist, which would be handy if we were growing coral in the catchment, or if we expected an infestation of bluebottles.

In recent times Dr Scammell has been best known for his research linking chemical contamination of drinking water with increased cancer rates in north east Tasmania—research bluntly rejected by the Australian Medical Association. The AMA said that his report had serious methodology flaws and that it had failed to demonstrate evidence of adverse health effects.

Another of Dr Scammell's recent reports linked oyster deaths to aerial herbicide spraying of forests in Tasmania last year. Here is an interesting connection. It was labelled "alarmist and unscientific"—words that have a familiar ring about them—by a Tasmanian state government report initiated into the claims. The government found that the review, commissioned by oyster growers, contained major factual errors. The government said it had found absolutely no evidence of links between aerial spraying and oyster deaths, and no evidence of water supply contamination.

An independent analysis of Dr Scammell's work—the leading scientist relied upon by the *Canberra Times*—by Queensland professor, Dr Paolo Ricci, described the findings of Dr Scammell as "opinionated manifesto". Perhaps in addition to describing Dr Scammell as a leading scientist, the *Canberra Times* might have added some other adjectives—"controversial" perhaps.

MS MacDONALD: Mr Speaker, I have a supplementary question. Can the Chief Minister assure the Canberra community that the government is getting on with the job of restoring the catchment and looking after the interests of the Canberra community's water supply?

MR STANHOPE: Yes I can. Some people are applauding us for our efforts.

Mrs Dunne: Mr Speaker, I rise on a point of order. I seek your guidance. Is this a reflection on this morning's debate? It very closely covers the subject matter of this morning's debate.

MR SPEAKER: It is clearly a response to a question. It is in the context of the question and it is related to the subject matter.

Mrs Dunne: But is the question therefore a reflection on the debate this morning?

MR SPEAKER: I do not think so.

MR STANHOPE: Some people are applauding us for getting on with restoring the catchment. Indeed, that praise commenced early. On Wednesday 5 November 2003, the week the *Shaping our territory* report was tabled, the ACT opposition said, "The ACT opposition has welcomed today's release of the non-urban study steering committee's final report *Shaping our territory*," labelling it as a sound document providing clear steps forward for Canberra.

The then ACT shadow planning minister, Vicki Dunne, said that what was needed now was a change in planning culture and as much continuity following the recent report as possible. Mrs Dunne said that *Shaping our territory* was much better targeted than the government's spatial plan released on the Monday. She said, "Whether you agree with the recommendations or not of the *Shaping our territory* report, this report sets a clear picture of where Canberra should be heading in terms of rebuilding following the January bushfires."

Mrs Dunne then went on to say that she was disappointed—this is in November 2003 in relation to recommendations to re-establish pine forests—that yet more time would be lost as the "Chief Minister has stated it will take him a couple of weeks to establish an implementation body". In November 2003 Mrs Dunne castigated me for taking two weeks to establish an implementation group to get on with the job of restoring pine trees to the Cotter catchment. That is what the Liberal Party thought in November 2003. How our opinions change when we sniff an opportunity for a bit of political point scoring! What do we see fifteen months later?

Opposition members interjecting—

MR SPEAKER: Members of the opposition will cease interjecting.

MR STANHOPE: At the time there was an interesting letter to the *Canberra Times* on the same issues. It stated:

The \$52 million insurance payment for the loss of ACT forests in the 2003 fires is welcome news.

It is now really important that all this money should all be put back into restoring the burnt plantation landscape, replanting trees and re-establishing a sustainable future for the local forestry and timber industry.

The cleanup and replanting programs must be done concurrently and as a matter of urgency to minimise erosion and weed infestation and protect dam water quality.

It could be disastrous if these environmental issues continue to be left for future years.

Signed Kate Carnell. There we have it. There are the views of the Liberal Party in November 2003 and January 2004: get on with it; don't delay; two weeks is too long to delay.

Mrs Dunne needs to look at some of her other pronouncements on this issue. She is even on record as criticising me for devoting too much attention to the Cotter catchment. In a media release of 13 October 2004 she discusses issues to do with the Googong catchment. She goes on once again to lambast me: "Yet all his focus"—the Minister for the Environment—"has been on the Cotter catchment management". In 2004 I was told to "stop putting so much attention on the Cotter and put a bit more on Googong" and was told, "Stop paying so much attention to the Cotter, minister, and actually focus on some other aspects of your responsibilities."

In the same release, Mrs Dunne, who is now calling for a halt to all action on the Cotter, said that it “seems that no Stanhope government announcement is complete without a review, feasibility study or similar device to avoid decision making”. Heaven forbid, that we should spend the whole of 2003 in a dedicated examination of all these issues! Through that process, there were more than 600 submissions from the public to the *Shaping our territory* inquiry into the use of the Cotter.

Gungahlin Drive extension

DR FOSKEY: My question is directed to Mr Stanhope as Minister for the Environment and relates to measures to identify and protect the small purple pea, *Swainsona recta*, to ensure its survival. The small purple pea, *Swainsona recta*, is an endangered species. An action plan to ensure, as far as is practicable, the identification, protection and survival of the species was prepared in 1997.

I have been advised by several sources that sightings of the small purple pea were made in the rural lease beside Caswell Drive from October to November 2003. There was concern that this new population could be jeopardised by works associated with the Gungahlin Drive extension or by grazing activity.

It was agreed that the action plan would be reviewed after three years; therefore, notionally, in 2000 or some time after. My question is: has the action plan been updated, particularly since the 2003 sightings of the small purple pea in the rural lease beside Caswell Drive? Could we be provided with the most recent copy, please?

MR STANHOPE: I thank Dr Foskey for the question. It is an important question and it is an issue which the government is very aware of and very sensitive to. I have noticed the concern expressed by leading scientists in relation to the impact of the Gungahlin Drive extension on the purple pea in the south Aranda woodland.

Dr Foskey would be aware that in the recent election campaign my government promised to pursue the long-term protection of the south Aranda woodland. We undertook to investigate a range of measures that we might take in the shorter and longer term to ensure the long-term preservation and protection of the south Aranda woodland as a result of the broad range of ecological values there—from the snow gum and yellow box/red gum woodland to the existence of a very endangered species of pea.

One of the avenues which we might pursue and which we have considered is, of course, the incorporation of the woodland within the Canberra nature reserve system. There are some real implications around that for the government. The land is on long-term lease. We would have to compulsorily acquire it to achieve that end. There would be very significant costs attached to that option. At this stage, we are pursuing other options, including the use of directions by the Conservator of Flora and Fauna, to achieve the same outcomes as might be achieved by its incorporation, at very significant cost, into the nature reserve system.

We are also pursuing the matter with the leaseholder, who is very amenable to the protection of the natural estate that is part and parcel of his rural lease. I have to say that Environment ACT has a very good and productive working relationship with him. At

this stage, the preferred position or the position that is being pursued is certainly to ensure that the endangered pea is protected, and protected absolutely. We are seeking to do that, as I say, at this stage through the utilisation of the conservator's directions and we are seeking to do it through an enhanced relationship with the leaseholder, essentially through an agreed land management regime.

I will take on notice the specific question you asked. I do not have the answer. I am more than happy to provide whatever information I can.

DR FOSKEY: I have a supplementary question. What measures are in place to ensure that all endangered or threatened flora and fauna species affected by the Gungahlin Drive extension are being appropriately identified and protected?

MR STANHOPE: I have just detailed the steps that the government and Environment ACT have taken in relation to the south Aranda woodland. They go, as I say, to a longer term investigation of its incorporation into the Canberra nature park or reserve system, the use of the conservator's directions and the use of land management agreements with leaseholders to ensure that we protect the ecological or natural values of any particular area across the board.

In relation to other areas adjacent to the Gungahlin Drive extension, significant numbers of them are, of course, within the nature park system and are protected extensively through that system. That, of course, goes to all of the other land adjacent to Caswell Drive, whether it be the Aranda bushland or Black Mountain park, and similarly through O'Connor and Lyneham ridges. The road, apart from that, traverses the newly designated Kaleen horse paddocks. So the majority of the land associated with the Gungahlin Drive extension is either land that is within the nature reserve system—in the hands of the government, to the extent that it is part of our horse paddocks infrastructure—or, in the case of the south Aranda woodland, land which is privately leased and in relation to which we are working closely with the leaseholder in a number of ways.

Budget—GST revenue

MR MULCAHY: Mr Speaker, my question is to the Acting Treasurer. I refer to reports quoting the New South Wales Labor government Treasurer, Dr Refshauge, calling for the ACT's GST revenue to be slashed.

In light of the ACT Treasurer's remarks, published last week before he left for Dubai, that Canberra has been short-changed over commonwealth payments to the territory, could you clarify whether we have been generously rewarded, as claimed by his Labor colleague, or short-changed, as asserted by your Treasurer?

MR STANHOPE: Mr Speaker, I do not know whether it is appropriate now for me to ask for a suspension of standing orders to allow Mr Mulcahy to apologise for his personal explanation yesterday in which he, insisting that he never misleads the Assembly, went on to mislead the Assembly in relation to this. It is probably not appropriate at this time. He might want to do that by way of personal explanation.

Mrs Dunne: On a point of order—

MR SPEAKER: Mr Stanhope, could you withdraw the inference that Mr—

MR STANHOPE: Do I have to move a substantive motion? Maybe, if there is not a personal explanation after question time, we might have to give some consideration to that. I am sure Mr Mulcahy has the grace to acknowledge his grievous error. I withdraw.

Members interjecting—

MR STANHOPE: I am taken by anyone who stands up in this place and says, “It is not my habit to mislead,” and then makes—

Mr Mulcahy: On a point of order, Mr Speaker: I have asked a question seeking clarification from the Acting Treasurer as to the correct version of events—that provided by his Labor colleague in Sydney or by his own Treasurer. I am asking if he could clarify whether the commonwealth has been generous or whether we have been short-changed.

MR SPEAKER: Chief Minister.

MR STANHOPE: Thank you, Mr Speaker. Every year, in the weeks before the Treasurers conference, a New South Wales treasurer, sometimes in the company of a Victorian treasurer, will stand up and say that the revenues of the commonwealth are being unfairly distributed and, in particular, the mendicant jurisdictions—Tasmania, the ACT, South Australia and the Northern Territory—all receive far more than they are entitled to. It happens, I think, just about every year. You could almost predict it. It goes with that press release that the P&C put out during the first week of term every year about compulsory fees. The week before the Treasurers conference, a press release comes out from Victoria and New South Wales that the ACT, Tasmania, the Northern Territory and South Australia get far more money than the snivelling residents of those jurisdictions deserve—underperforming, underpaying, undeserving.

Of course it is a nonsense. Obviously, impressed by Treasurer Ted Quinlan’s brief summation of the statement from Dr Refshauge as—what did he call it?—simplistic trash, I endorse that description absolutely. I must say I thought Mr Quinlan got to the nub of it—simplistic trash. That is what it is, and that is what it was.

The nature of our federation—the essential elements of fiscal equalisation, the accepted deal that we did at federation that the wealth of the nation would be shared equally amongst all the people of the nation, irrespective of where they lived—is a fundamental, foundation principle of federation. Through that accepted principle, the Commonwealth Grants Commission every year determines what the split, the spread, of commonwealth funds to states and territories should be. As a result, a whole range of factors is taken into account.

One of the major factors that impact on and affect the ACT, of course, is our revenue raising capacity. We are the national capital. We do suffer some disabilities in relation to the breadth of our economy and the capacity for us to raise revenues by other than a fairly narrow suite of possibilities. We have no manufacturing industry; we have no mines; we have no primary industries to speak of. We have a narrow revenue base; we are the national capital. The commonwealth is the major landholder or ratepayer within

the territory but does not pay rates. As a result, the Commonwealth Grants Commission makes certain adjustments to the payments payable to the ACT, just as it does to Tasmania, just as it does to the Northern Territory where it also acknowledges some of the circumstances under which those jurisdictions operate.

The whole principle and understanding of federation, summed up in the commitment to an equitable distribution of commonwealth welfare funds, produces the result it does. For New South Wales and Victoria to jump up and insist that they are paying the way of the nation basically belies that accepted fact. And it is simplistic trash.

MR SPEAKER: The minister's time has expired. Supplementary question, Mr Mulcahy?

MR MULCAHY: Thank you, Mr Speaker. In light of that confirmation that the ACT has been fairly treated, would the Treasurer agree to make representations to his Labor colleagues in New South Wales, who want to see the ACT position eroded, to encourage them to end their attempts to mislead the broader Australian community on this issue?

MR STANHOPE: Mr Speaker, I can assure Mr Mulcahy and all members of this place that Mr Quinlan will not hesitate to let New South Wales and Victoria know that they are talking simplistic trash. He has done it before, and he will do it again.

Budget—GST revenue

MRS DUNNE: My question is to the Acting Treasurer. In the lead-up to the introduction of the GST in July 2000, state and territory governments agreed to abolish certain taxes and to consider the abolition of other taxes. Subsequently, New South Wales has acted unilaterally to abolish the debits tax in that state. All jurisdictions in Australia have benefited from a strong flow of revenue from the application of the GST. Why has the ACT chosen not to take advantage of that revenue by abolishing more of the inefficient taxes that still apply in the ACT?

MR STANHOPE: To some extent I just answered the salient part of that particular question. That, of course, goes to the breadth of the revenue base within the ACT and the breadth of our economy. Our economy is changing. It is changing to the extent that the private-public mix is moving to a position where a significant number of the work force within the ACT is now engaged by the private sector. It is interesting that most of the dollars that spin around Canberra are still generated by government or government activity, but at least the employment base is changing and that augurs well for the future and the breadth of the economy and, in time, for our capacity to continue to look at the raft of taxes and charges that we rely on here in the ACT.

We do have a narrow revenue base. I have heard suggestions and read in recent days that we could just abolish stamp duty across the board in the ACT. That would have an enormous impact on our discretionary spending. It would render it impossible for us to provide the range of additional services that the people of Canberra demand and expect and quite rightly anticipate that the government will provide. We simply could not provide the range of services that we provide if we unilaterally removed stamp duty across the board or if we even did away with payroll tax.

We have made good progress in relation to the taxes and charges that have been repealed as a result of the introduction of GST and arrangements we entered into with the commonwealth. We have removed the financial institutions levy. We have actually removed some stamp duties, particularly in relation to marketable securities, and we are on the verge of removing the debits tax. We continue to review payroll duty. We continue to review stamp duty. Indeed, just in the last year we have changed significantly stamp duty in relation to first home buyers. We have lifted the bottom limit in relation to stamp duty for first home buyers to around about \$285,000 to \$286,000 with concessions applying, dependent upon income, up to \$380,000. That we have done that is a very significant change to the stamp duty tax regime in the ACT. Now, as a first home buyer, you do not actually need to pay stamp duty. So these are significant changes that we have made as part of the deal or the understanding between the commonwealth and the ACT in relation to the GST.

It needs to be said in the context of this debate that I find it interesting that, in an environment where Peter Costello and the federal Liberals have managed the national economy to the point where we actually have a \$16 billion trade deficit, the Reserve Bank has now approved an increase in interest rates.

Opposition members interjecting—

MR SPEAKER: Order!

MR STANHOPE: Peter Costello is the new interest rate king. Interest rates have gone up.

Opposition members interjecting—

MR SPEAKER: Order!

MR STANHOPE: I find it interesting, the mirth of Mr Smyth and the Liberal Party at the prospect that all householders with a mortgage around the ACT are now paying \$40 or \$50 a month more. That is no laughing matter.

Opposition members interjecting—

MR STANHOPE: Peter Costello has just delivered a \$50 a month mortgage increase to Canberrans and to Australians. Having promised not to, he has done it. It is interesting, in the context of increased interest rates, that there is a determined attempt now to dampen consumption. What happens when you dampen consumption? The dampening in consumption will come because 50 bucks a month has been taken out of the pockets of all Australians. Consumption will reduce. If consumption reduces, GST will reduce. GST receipts by the commonwealth will fall, as will payments to the states. I guarantee that, if interest rates rise again, as they will under this Treasurer and under this federal government, and we find that it is not 50 bucks a month that the people of Australia are asked to go without in terms of their capacity to meet their household bills but, say, \$100 a month, within a few years the real possibility exists of GST payments to the states being less, in the longer term average, than payments made to the states pre GST.

MRS DUNNE: I ask a supplementary question. Earlier in his answer the Acting Treasurer gave an exposition of what the ACT government was doing in accordance with the intergovernmental agreement. Minister, why have you chosen not to act unilaterally to abolish any of these minor taxes, as has been the case in other states?

MR SPEAKER: Chief Minister, before you answer that question, I have asked the opposition not to interject so many times. I am not going to tolerate it any further.

MR STANHOPE: As I said, I am pleased with the progress that we have made in the ACT. We have abolished taxes in two particular areas. A third will be abolished before the end of this financial year. We have made significant changes to the payment of stamp duty for first home buyers in the ACT. I am mindful, though, and I find it passing strange that, in an environment where the commonwealth has increased rates, where all householders find that their household disposable income for the day-to-day living expenses which we all meet are affected to the tune of \$50 a month and potentially, say, \$100 a month if it goes up another quarter of a per cent, we already have the shadow Treasurer coming out and criticising pay increases to nurses and teachers and other public officials and public servants across the board within the ACT, saying that none of them deserves the pay rises they got and that under a Liberal government there will be no more pay rises for public servants.

What do we have here? What is the mix? What is the cocktail? Yesterday we heard it in question time: "How do you justify spending all this money on the provision of services? Do you concede you are paying your public servants too much? Are some of the issues that we face, and the prospect of a tight budget, to do with the fact that we pay our doctors and our nurses and our teachers and our police officers too much money? The problem with the ACT economy," say Mr Mulcahy and the Liberal party to us and to the people of Canberra, "is that you're paying your public servants too much. You're paying nurses too high a wage. You're paying those teachers too much. You shouldn't have given those pay rises. You're spending too much money on health and education." This is the message we got yesterday and have got over the past couple of weeks from the shadow Treasurer, "You're paying too much to your public servants. You're providing too many services. How do you justify it?" That is what we got yesterday. They say, "How do you justify spending all this money on education, on health and on the provision of other essential services for the people of the ACT?"

Mr Stefaniak: I raise a point of order. I refer to standing order 118(a), and probably (b). The supplementary question was: why has the ACT government chosen not to act unilaterally to abolish any of these minor taxes? That has absolutely nothing to do with what the Chief Minister is talking to at present. In addition, under (b), I think he is debating the subject, so I think he has offended under both paragraphs.

MR SPEAKER: I have to say, Mr Stefaniak, that the minister reflecting on the costs to government is in the context of the question that Mrs Dunne asked. She asked why certain taxes had not been withdrawn. It is consistent with the subject matter of the question.

MR STANHOPE: I conclude by saying that it is perfectly consistent. In an environment where interest rates have just gone up and average householders are paying \$50 a month

more on their mortgages and have \$50 a month less to spend on consumables, the GST revenue received by the commonwealth will reduce. The payments to the states as a result of the reduced payments of GST by the commonwealth will be less. You already think we pay our public servants too much. You already think we are providing too many services. And you want us to cut other taxes! If that is your formula, fine. But I am interested in what your version of how you are going to govern in that environment looks like.

Over the last couple of weeks interest rates have gone up, mortgages have gone up 50 bucks a month under your party, consumables less, GST receipts reduced, payments to the states less and you want us to go around willy-nilly cutting taxes. Well, we will not because we have a commitment to the people of Canberra. We have a commitment to the best health services in Australia. We have a commitment to the best education in Australia. We have a commitment to a strong economic base and the provision of all the other services that we provide.

Education—curriculum

MR GENTLEMAN: My question is to the Minister for Education and Training. Can the minister inform the Assembly of recent developments in curriculum renewal for all ACT students?

MS GALLAGHER: I welcome the opportunity to talk about the new developments in curriculum for all ACT school students. I think the ACT community should be very proud of the role that the curriculum renewal task force, the consultative committee, local education and industry leaders, teachers and parents have played in developing “Every chance to learn, curriculum for ACT schools, from pre-school to year 10, principles and framework.” This government’s priority has been and will continue to be that the ACT leads Australia in education, training and lifelong learning.

In 2003, we established the curriculum renewal task force to direct the review of curriculum for all ACT schools. Members may have noticed that the curriculum principles and framework were released late last month. This represents a first phase of the new curriculum for our schools. While the current curriculum frameworks had served us well for the past 10 years, they needed to be revised and updated to meet the challenges of the 21st century. It was a very big task: one that could not be rushed or limited by lack of vision, and it needed to be built on sound educational research.

Schools need to be dynamic and evolving places of learning that take account of all the advancements and changing community expectations of the 21st century. The central importance of knowledge has placed pressure on Australian schools over recent decades, and the children currently attending our schools will require the skills and knowledge to negotiate their way in a more complex and global world. At the same time, regional differences can mean that schools and education systems need to be responsive to the needs of regional economies and local populations. More than ever before, education is strongly linked to employment and economic outcomes.

With the release of the new curriculum, the ACT publication reflects current research and best practice around the world and many educationalists have commented on how well placed the ACT is in ensuring that our students are experiencing learning

environments which will equip them with skills for the future. The curriculum principles and framework are constantly updated and improved. The new ACT curriculum is based on there being essential areas of knowledge that all students are required to know and understand. The new curriculum is more adaptable and flexible than the previous curriculum in acknowledging the range of ways that students learn and what it is essential for them to know in the 21st century.

Ongoing work would draw on the expertise of curriculum leaders in our schools and school systems, and of curriculum experts, professional associations, and academic institutions, in a rigorous and collaborative process. The work ahead is challenging and exciting. It provides a significant opportunity to revitalise professional dialogue about what and how our students should learn. The new principles and framework will support teachers and schools in developing and creating an innovative learning experience to achieve the best possible outcomes for all students. It is an exciting time for education in the ACT, and I look forward to the work ahead, and to being involved with students, teachers, parents and the community in this work.

MR GENTLEMAN: I have a supplementary question. Can the minister outline the consultative framework engaged in by the government and the reaction of the education community and other stakeholders to the launch of the new curriculum.

MS GALLAGHER: The work involved in putting this important framework together was extremely collaborative. There was extensive consultation around what was needed, where we wanted to be placed and how schools could be involved in that. There were a number of organisations involved in the development of the framework. It was headed up by the curriculum renewal task force, with representatives from the Department of Education and Training, the Catholic Education Office, the Association of Independent Schools, the ACT Council of P&C Associations, the Association of Parents & Friends of ACT Schools, the Australian Education Union, the Independent Education Union, the University of Canberra, the Curriculum Corporation, the Indigenous Education Consultative Body, the Council of ACT Education Associations, government school principals, primary and secondary, the ACT Chamber of Commerce and Industry, students from government schools, students from non-government schools, the School Board Forum and the Canberra Institute of Technology.

As you just heard, 15 key educational stakeholders were involved in a collaborative process, making sure that students at any school in Canberra, non-government and government, have access to the most up-to-date, leading the way, provision of education in their schools. I will now outline the individuals who have not been involved in this. One: Mrs Dunne. Mrs Dunne does not like the curriculum framework. She is the sole voice of dissent in this framework. Maybe these 15 leading ACT education stakeholder groups have it all wrong! The comments Mrs Dunne has made include, “The ACT government is hooked on the discredited education fashions of the 1960s.”

Commentator after commentator have said this is leading the way with curriculum development in Australia. It is placing us at the forefront in the new millennium rather than the 1960s. She expresses the concern that it “doesn’t provide any subject matter” and that it is “student centred”. So there should not be students involved in it—we have got that wrong—and it is not based on any subject matter. Mrs Dunne is not a teacher and neither am I. We are not experts in curriculum design or development. We do not

understand the science of it—because it is actually a science. But there is a difference between subject matter and curriculum, and we are happy to brief Mrs Dunne on that.

If she wanted to look in this book and see what her daughter or son was going to learn in maths, she would not find it, quite rightly, because this is a curriculum framework. It is not the subject matter for what is going on at a particular school or the particular content in a course that is being carried. This document defines curriculum. It establishes the principles on which curriculum is based, which is required by the education act. There are 36 essential learning achievements outlining what students should understand, what they should know, what they should value—the Libs love values, so that is in there—and what they should be able to do as a result of their schooling.

The document outlines statement markers of progress across four bands of development, the content, the pedagogy and the assessment for essential learning achievements. This document sets the framework. It is then taken to school communities, because we have school-based curriculum here in the ACT, and the schools use this when they are designing the content of the courses they will be running with their students, and they can do this for a four-year-old and they can do this for a 15-year-old.

Instead of the opposition constantly talking down education in the ACT, this document should be welcomed. It should be embraced and it should be understood by anyone who has anything to do with education in the ACT because this is the way all students, regardless of what school they attend, are going to learn and are going to use their learning for the next 10 years.

Policing

MR PRATT: Mr Speaker, my question is to the Minister for Police and Emergency Services. Minister, the ACT Policing 2003-04 annual report showed that there was a decline in the number of senior police officers during that year. The number of sergeants in the sworn police force fell from a total of 121.5 full-time equivalents in 2002-03 to 115 full-time equivalents in 2003-04. Similarly, the number of sworn officers at the superintendent level fell from 9.4 full-time equivalent positions in 2002-03 to 8.5 officers in 2003-04—a decline.

Why did the number of sworn sergeants and superintendents decline during the 2003-04 financial year? Furthermore, in relation to ACT Policing's ongoing commitments to the international deployment group, why are you not demanding a one-for-one exchange of sworn senior police officers into and from the IDG? Why do you allow police numbers to run down as a result?

MR HARGREAVES: I was honestly expecting a follow up on the dog question, so I will have to try to do the best I can. Let me tackle the middle question first, because he is really clever. The IDG does not cost us anything, Mr Pratt—they are backfilled.

MR PRATT: It does in bodies!

MR HARGREAVES: The officers are backfilled.

MR PRATT: One for one?

MR SPEAKER: Mr Pratt!

MR HARGREAVES: Thank you very much, Mr Speaker. With regard to why we allow the decline in police officers, we do not. To answer your first question, as we would all know, with any organisation with a fluctuating work force, we have people who leave the service and we have people who come on. We have recruitment courses to bring them on. I have to say that any movement in the middle ranks of the police force that has happened since the Stanhope government came to power pales into insignificance with the 40 police sergeants that those people slashed out of the service back in, I think, 1999 or 2000. It has taken us this long to get the numbers back up.

I remind the house that it was the Liberal Party who offered 10 extra police officers in the 2001 election and it was the Stanhope opposition that offered and delivered 30 police officers. All I can suggest is that, once again, Mr Pratt has got it wrong about the IDG; he has got it wrong about the first part of his question; and he has got it wrong about the last part of his question.

MR PRATT: The report shows a net loss.

MR SPEAKER: I warn you, Mr Pratt. I'll get around to the lot of you, by the look of this! It is just getting out of hand.

MR HARGREAVES: I suggest that in future Mr Pratt sticks to dog questions.

MR PRATT: Mr Speaker, I have a supplementary question. Minister, what strategies will you implement to counteract this disturbing trend, given that you made a promise in 2001 to increase, net, the number of police officers to the national average over the long term? Not a net fall, a net gain.

MR HARGREAVES: In case Mr Pratt has not figured it out, we have fairly significant recruit training colleges. In fact, I think I have seen Mr Pratt at one or two of these recruit colleges. I have not seen him in the electorate very often and I have not seen him very often at any of the other things that have been on, but I have seen him skulking about the place waiting for a free lunch at one of the recruit college functions. That is how we do it, Mr Pratt. We also do it through lateral police recruitment.

MR SPEAKER: Mr Hargreaves, it does not help when you do not direct your comments through the chair.

MR HARGREAVES: Okay, Mr Speaker, I accept your direction very willingly. The fact is that we do lateral recruitment; we do recruitment through the ordinary course of recruiting out of college and from the ranks of the military. You know that as well as I do, Mr Speaker, because you have been to them before. We have a commitment to having the officers replaced. As I said before, when they go to IDG deployment we get them backfilled and it costs us nothing; it comes out of the commonwealth's contribution. If you look at the make-up of the costs of the AFP you will see that there is a certain amount that we provide to the AFP for protection around the parliamentary triangle and all that sort of stuff, but we also have an agreement on the IDG stuff. There is no effect on the ACT.

Can I say that there is no effect on the numbers but there is, however, a big effect on the quality of our police officers. These officers get an opportunity, at the middle ranks, to go over and experience community policing in another jurisdiction and they come back all the better for it. If Mr Pratt is suggesting that we deny places like the Solomons the benefit of our police officers, perhaps he would prefer that we said to the Commonwealth, "No; bad luck. Go to New South Wales and get them, or go to Victoria and get them." No, thank you very much, Mr Pratt. We have an obligation and we are happy to discharge it.

Health—elective surgery

MRS BURKE: My question is to the Minister for Health, Mr Corbell, and it concerns waiting lists. Yesterday the minister told us that in "the six months from July to December last year over 4,600 Canberrans got access to elective surgery, the second highest level ever of elective surgery activity for a six-month period". Actually, it was 4,346 in that period, not 4,600. He also stated that more people than ever are receiving their surgery and that the government had put some \$7.5 million extra into elective surgery. As an average, the number of people receiving surgery per month under Labor is 670. Under the Liberal government, the number of people receiving surgery per month was 704. So 34 fewer people per month are receiving their surgery under Labor. Minister, why is the community paying \$7.5 million for 34 fewer operations per month?

MR CORBELL: As I outlined to Mrs Burke yesterday, we are seeing an increase in the amount of elective surgery undertaken and that cannot be disputed. The level of elective surgery in the past six months was the second highest level for a six-month period on record. That is the bottom line. If there is an error in the figure, I will check that and I will certainly correct the record if that was not accurate. But I know that it is the second highest figure on record for a six-month period. It is only short of the record, I understand, by a very small number of people. So we are getting more money for elective surgery, and that is the point I made yesterday.

MRS BURKE: I have a supplementary question, Mr Speaker. Minister, what is the average cost of an elective surgery procedure in cost-weighted terms and how does this cost compare with the cost in other jurisdictions?

MR CORBELL: I am happy to take that question on notice and provide the information to Mrs Burke.

Health—cryptosporidium

MR STEFANIAK: Mr Speaker, my question is to the Minister for Health. Cryptosporidium is a serious gastrointestinal disease spread through contaminated water sources, often swimming pools and less often drinking water. I understand it is a notifiable disease. Have any cases of cryptosporidium been reported to ACT Health recently? And if so, has the source of the infection been identified?

MR CORBELL: Mr Speaker, I am not aware of any reports. However, I will take the question on notice and provide further information to Mr Stefaniak.

MR STEFANIAK: I thank the minister for that. Minister, can you guarantee that Canberra's drinking water supply and public swimming pools are not contaminated with cryptosporidium?

MR CORBELL: I find it odd that Mr Stefaniak links water in swimming pools and Canberra's water supply in the same question. As I am sure members would appreciate, there is a difference—

Mr Stefaniak: It comes from the sky to the dams, to the pools and you drink it out of taps.

MR CORBELL: It is the same, is it, Mr Stefaniak? Do you drink from swimming pools? That would explain quite a lot.

I am concerned that the opposition continues to assert, at least indirectly, that there are problems with the safety of Canberra's water supply. That is a serious assertion, even if made indirectly in the way that Mr Stefaniak just did. If Mr Stefaniak believes that there is a problem he should say so and he should explain why. But to suggest indirectly, as some sort of snide assertion that there is a problem with Canberra's water supply, is alarmist and dangerous.

Mr Speaker, I am advised that the most recent testing of Canberra's water supply identified no problems and that the water supply is safe, as it has been—even after the bushfire event in 2003. In relation to Canberra's water supply, as I indicated yesterday, the most recent testing indicates that all of our water is safe, in terms of the water supply, and meets all the relevant national standards.

In relation to swimming pools: neither ACT Health nor the ACT government goes around and monitors every swimming pool in Canberra.

Mr Stefaniak: Public swimming pools.

MR CORBELL: Public—I apologise. Again, I have not been advised of any problems with any public swimming pools in Canberra in terms of any infestation of anybody that would be cause for alarm from a public health perspective. However, I will double-check with the office of the Chief Health Officer and provide that advice to Mr Stefaniak.

I have to again say to members: public confidence in the water supply is a very important issue that should be treated with some level of circumspection—a circumspect approach—by all members. If members believe there are problems they are, of course, entitled to raise them, but they should do so not simply on the basis of a snide allegation or assertion but in a responsible fashion with at least some evidence. That is not what we have seen from the opposition recently and, regrettably, elements of the media as well.

Aged care accommodation

MR SESELJA: My question is to the Minister for Planning and my office has given Mr Corbell's office prior notice of this question, in the interests of receiving an answer in question time. Minister, I refer to your announcement last week of the successful

tenderer for the section 87 Belconnen nursing home, the Illawarra Retirement Trust, and their bid of \$7 million. Can you confirm that the successful bid was exactly \$7 million and, if not, what exactly the amount bid by the successful tenderer was? What payment terms is the successful tenderer subject to, and what was the exact amount of the highest bid for section 87?

MR CORBELL: I thank Mr Seselja for some prior notice of this question. I can advise members that the Illawarra Retirement Trust was the successful tenderer for section 87 in Belconnen. I am advised that the dollar bid was in the order of \$7 million—approximately; I do not have the exact figure. I am advised that there were higher bids. However, the tender documentation was not simply an assessment based on best price but also on the ability of the tenderer to meet a range of other expectations, including having proven provider status as an aged care provider and the quality of the overall proposal. It was on this basis that the Illawarra Retirement Trust was chosen by the LDA board as the successful tenderer. All unsuccessful tenderers are able to receive a post-tender briefing from the LDA that will outline, and hopefully address any concerns they have as to, why they were unsuccessful.

MR SESELJA: I have a supplementary question, Mr Speaker. I did ask specific questions which were not answered—in particular, what was the amount of the highest bid? I would also ask if Mr Corbell would table for us, by close of business today, the answers to the questions that he did not answer just then, and the exact amount of the successful bid—not just an approximate amount—and the terms and conditions of payment for the successful bidder.

MR CORBELL: I will take those questions on notice and see what information I can provide to members. I think it is important to stress here that the government is not just looking for best price. There is no point in getting best price if it is a hopeless development proposal. To use one of Mrs Dunne's terms: you do not have to be a rocket scientist to understand that. That is what the government is looking for. The government is looking for a proposal that stacks up financially but also stacks up in the context of the ability to deliver quality aged care and a high-quality development outcome. That is what the government is looking for, amongst a range of other issues. These were clearly enunciated through the tender process and the LDA board assessed it on that basis. In relation to the specific issues Mr Seselja raised, I am very happy to inquire of the LDA and provide what information I can.

Multicultural community languages grants program

MS PORTER: My question is to the Minister for Disability, Housing and Community Services. Can the minister please advise the Assembly of the outcome of the 2004-05 multicultural community languages grants program?

MR HARGREAVES: One of the dangers that we encounter in being a successful multicultural society is that sometimes we can lose those things that make a given culture unique. I believe from my observations during the multicultural festival that Canberra is the most successful city in the world in terms of multicultural integration. There is talk about unity in diversity. We actually have it.

I have mentioned to my colleagues before—they will have heard me say it—that we do not have little enclaves of various groups in Canberra; we have people living everywhere, in every street. That is rather a wonderful thing, but it does come with its dangers. One of the dangers is that they will lose some of the music, some of the stories, some of the colour and definitely some of the language.

Those of us who have moved around the multicultural community in this town at all will have observed that at about the third generation or so—I am sure that Mr Stefaniak knows exactly what I am talking about—the youngsters in our multicultural community start to lose their language. They start to adopt English more and they do not necessarily speak in their mother tongue at home. If we are not careful and we do not actually nurture the future of their language, if you like, and the preservation of that language, we will have a truly integrated society, but we will not have the opportunity to celebrate the diversities. I am sure that Mr Seselja also will understand exactly what I am talking about.

That is where things such as the multicultural festival and celebrating national days have a contribution to make. This government has given the multicultural community language grants to make sure that the different languages of the different cultures in our town are taught to the kids to make sure that we do not lose that part of the uniqueness of our cultures.

On the weekend just passed, I had the great pleasure of announcing the names of the recipients of the 2004-05 multicultural community languages grants. As I said, the ACT is a very diverse multicultural community. It is made up of over 85 different cultural groups. Some of the larger ones do not have a difficulty with maintaining their language. You can do Italian at the Italian club and you can do Greek at the Hellenic Club, but not some of the other languages.

Twenty-four multicultural language schools in Canberra, as well as the ACT Ethnic Schools Association, shared \$50,000 in funding from the government. The \$50,000 available under the program adds to the resources that dedicated members of Canberra's multicultural community already devote to the teaching of languages and culture in our many community schools.

The Ethnic Schools Association and its member schools play a vital role in helping young people from diverse backgrounds in Canberra to maintain their cultural identity and heritage. The government funding will help these multicultural schools in Canberra to purchase equipment and train staff to assist them in continuing their excellent work.

Opposition members: Ha, ha!

MR HARGREAVES: Mr Speaker, I do not find anything amusing about it at all. I find it quite a serious issue and I am saddened that those opposite do not share that seriousness. The ACT multicultural community languages grants program is an initiative of the Stanhope government and, so far, it has allocated \$150,000 to ethnic schools in Canberra.

To answer the little question of the dickybird across the chamber: yes, a press release was put out; yes, it was in the newspaper; and no, I did not see any member of the opposition at the time the grants were given out. The school associations are doing a terrific job with the money that we have given them.

MS PORTER: I have a supplementary question. Can the minister please give the Assembly some examples of how the grants will be used?

MR HARGREAVES: In support of the language schools enjoying a strong level of technology, the ACT government has offered financial assistance to members of the Ethnic Schools Association to acquire IT equipment through the multicultural community languages grants program. That is just one of them.

On the day I announced the names of the recipients of the language grants I was able to launch the ACT Ethnic Schools Association's new web site, which has been developed with funding from the ACT government. The new site enables the association and all its member schools to publicise the great work they are doing in teaching languages and cultural traditions.

Mrs Dunne: Mr Speaker, I take a point of order. Mr Hargreaves was asked a question about the things the grants that he announced last weekend would cover and he went on to talk about funding from an undisclosed ACT government source for a web page that he launched that day. Obviously, that money is not coming out of this year's grants. Therefore, it is not to the point of the question and he should keep to the point of the question, which was about what this year's funding is going to do.

MR SPEAKER: The question really was about whether the minister can give some examples.

MR HARGREAVES: For the benefit of Mrs Dunne, who is in a time warp, the question was about how the grants will be used.

MR SPEAKER: No, it was not. It was whether the minister can give some examples. We are waiting for them.

MR HARGREAVES: Mr Speaker, I am trying desperately to give Ms Porter some examples. I urge those people who have not seen it to look at the Ethnic Schools Association's new web site, because it actually says how people can access those community language programs that we are funding under the multicultural community languages grants program. Joseph Yoon and his associates are to be congratulated for developing the web site. That web site, as I have mentioned before, is how you can access these community language programs. If you want to go and learn another language, Mr Speaker, you can access that web site and it will show you where to go. The programs by which you will learn those languages are funded out of the community language grants.

Of the successful recipients of grants this year, five schools received assistance to purchase computers. These included the Grace Chinese School, the Samoan Language

School, the Sri Lankan Sinhala Language School in Canberra, the Standard Chinese School of Australia and the Valluvar Tamil School.

These grants will also assist with the cost of purchasing teaching materials, audiovisual equipment, photocopiers and musical instruments. They will also assist with the training and professional development of teachers so that they can continue to teach our young people.

Mr Speaker, the Stanhope government is committed to the cultural diversity of Canberra. This is yet another way that we can contribute to the health and vibrancy of multiculturalism in the ACT. It is sad and a standing indictment of those opposite that they think about and consider this matter with such mirth, given that we are dealing with the future of our kids.

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

Supplementary answers to questions without notice

Health—elective surgery

MR CORBELL: Mr Speaker, during question time, Mrs Burke asserted that I had my figures wrong in relation to the number of elective surgery operations from 1 July to the end of January 2005. She said I had an incorrect figure. That is not the case. I am advised that the number of elective surgery operations from 1 July to the end of January 2005 was 4,601 people—

Mr Smyth: But that is for seven months.

MR SPEAKER: Mr Smyth, you are on a warning.

MR CORBELL: That was the second highest on record, only surpassed by the result to the end of January 2004, of 4,695 people.

Animal pound

ACT Forests—use of herbicides

MR HARGREAVES: Yesterday I took two questions on notice and, with your indulgence Mr Speaker, I would like to give those members the answers to those questions.

Mr Pratt asked about the desexing of dogs sold by Domestic Animal Services. The answer is that the pound does comply with all relevant legislation. There is no legislative requirement, however, to sell a dog or cat desexed. I would like to clarify that Domestic Animal Services does not desex dogs prior to sale. All new owners are advised of their requirement to desex their dog or apply for a sexually entire animal permit. All new owners are given a discount voucher, redeemable at most ACT vets, to have their new pet desexed. The Domestic Animal Services shelter complies with the Domestic Animals Act 2000. The Domestic Animal Services fees and charges are set to recover costs.

Mr Speaker, in answer to a question from Mrs Dunne yesterday about herbicides: the answer is as follows: I will now list the chemicals, giving you the common name and the active constituent. Those chemicals are: Roundup biactive, which has 360 grams per litre

of glyphosate; Brush-off, which is the common name, 600 grams per kilogram of metsulfuron methyl; Cutout 63.2 grams per kilogram of metsulfuron methyl and 760.5 grams per kilogram of glyphosate; Velmac granules, 150 grams per kilogram of hexazinone under controlled release; Velpar DF, 750 grams per kilogram of hexazinone; Crossbow, 200 grams per kilogram of metsulfuron methyl and 260 grams per litre of picloram. Note, no 24D.

It is not necessary for ACT Forests to conduct research of its own into the safety of herbicides. ACT Forests complies with the regulations established by specialist regulatory authorities. All weed control operations involving herbicides are conducted in accordance with environmental authorisation No 0011 issued by the Environment Protection Authority.

The authorisation allows the use of “agricultural and veterinary chemicals registered by the Australian Pesticides and Veterinary Medicines Authority” and requires the authorisation holder to ensure that agricultural and veterinary chemicals are used in accordance with the directions specified. The Australian Pesticides and Veterinary Medicines Authority (APVMA) is an Australian government authority responsible for the assessment and registration of pesticides and veterinary medicines.

As a general policy position, ACT Forests favours the use of low-residual chemicals in preference to more aggressive herbicides, especially within a water catchment. An example is the use of Roundup in preference to Grazon.

The movement of soils from chemically treated areas is minimised in the same way as movement from untreated areas, using measures such as contour ripping. Due to the preference for using low-residual chemicals and application of chemicals during dry weather, the chance of affected soil washing into water supplies is very low.”

Personal explanations

MRS DUNNE (Ginninderra): Mr Speaker, I would seek to make a personal explanation in accordance with standing order 46.

MR SPEAKER: Proceed.

MRS DUNNE: In answer to a question from one of his own members today, Mr Stanhope blatantly misrepresented a number of things that I had said and selectively quoted from a number of press releases, and I would like to quote from those press releases to put things in context.

The first press release he quoted from was dated 5 November 2003 and is headed “Non-urban report implementation needs ‘cultural revolution’”. And yes, it is correct that I welcomed the release of the non-urban study’s final report *Shaping our territory*, labelling it a sound document providing clear steps forward.

What Mr Stanhope failed to say was that most of the rest of the press release was critical of the failures in planning, as I said at the time, because, basically, the implementation of *Shaping our territory* was wrested from the planning department and the planning

minister and taken over by the Chief Minister. He talked about the subject of my complaining about not getting on with the job. I quote:

I am disappointed that yet more time will be lost, as the Chief Minister has stated it will take him a couple of weeks to establish an implementation body.

I went on to say:

Had the ACT Labor Party not engaged in petty politics earlier this year, that body would already exist, and be ready to implement these recommendations.

I was referring to the Liberal Party's proposal to establish a bushfire reconstruction authority.

What the press release goes on to say is that, if we had already established the bushfire reconstruction authority, which this government ruled out of hand absolutely, we would not have had to have these delays and we could have got on with the job with an authority making decisions as the time goes on.

MR SPEAKER: Order! You are starting to stray.

MRS DUNNE: That is the first occasion when the Chief Minister took one sentence out of context to misrepresent me.

The other occasion was a press release during the election campaign, dated 13 October 2004, entitled "'Water Policy' product of a drip under pressure". It refers to the release of the government's water policy, which was released at the 11th hour. It starts off:

A "Water Policy" which didn't address the vital question of future storage was "about as useful as water-wings in the Sahara", Shadow Planning and Environment Minister Vicki Dunne said today.

We talked about it—

MR SPEAKER: What is the point?

MRS DUNNE: I am coming to the point, Mr Speaker.

MR SPEAKER: Well, come to it quickly.

MRS DUNNE: Three paragraphs down—I will read the whole paragraph so that we can see the context that Mr Stanhope left behind to give another picture. I have talked about the fact that Mr Stanhope had realised that there were problems with the cross-border thing. It says—

Mr Corbell: On a point of order, Mr Speaker: this standing order allows members to identify where they have been misrepresented—not to provide three, five or seven minutes worth of context but to explain where they have been misrepresented. Mrs Dunne is not doing that. She is using it to make a debating point, and I would ask you to ask her to get to the point of where she was misrepresented.

MR SPEAKER: There are no time limits under this standing order, but it is by my leave. I require you to come to the point of personal explanation, which you said you would.

MRS DUNNE Thank you, Mr Speaker. I would, and I was just about to when Mr Corbell took the point of order. This is a quote from me:

It's good that he's—

Mr Stanhope—

noticed his Labor mates in NSW are not providing the water they're obliged to under the Seat of Government Act—shame he hasn't cottoned on to the other problems with the Googong catchment like agricultural chemicals—

MR SPEAKER: Where is the misrepresentation? Come on! This is just a restatement of the press release. What is the misrepresentation?

MRS DUNNE: Sorry. Mr Stanhope quoted one sentence out of this paragraph and I would like, Mr Speaker, with your leave, to quote the entire paragraph, to demonstrate where I have been misled.

MR SPEAKER: Right.

MRS DUNNE: The press release stated:

It's good that he's noticed that his Labor mates ... are not providing the water they're obliged to under the Seat of Government Act—shame he hasn't cottoned on to the other problems with the Googong catchment like agricultural chemicals, septic tanks affecting ground water, etc. Yet all his focus has been on the Cotter catchment management.

The point, Mr Speaker, is that there is more than one catchment that this Chief Minister and this minister for water should be responsible for. I did not at any stage—

MR SPEAKER: Order! Resume your seat.

Papers

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs): Mr Speaker, I table Mrs Dunne's press release in which she actually supports the *Shaping our territory* report. I would like to table also extracts from yesterday's *Hansard* in which Mr Mulcahy, in his question, made statements, referring to me, claiming significant tax increases or major cuts in services, when I said no such thing. I table that as well. It highlights the fact that Mr Mulcahy was wrong and does not have the grace to acknowledge it. I present the following papers:

Non-Urban Implementation Needs—Cultural Revolution—Extract from Canberra Liberals web page—News, 5 November 2003.
Extract from *Hansard* Edited Proof Transcript, 8 March 2005.

Personal explanations

MR MULCAHY (Molonglo): Mr Speaker, it seems, in response, this is the second time I have—

MR SPEAKER: Mr Mulcahy, for you to speak—

MR MULCAHY: I am addressing the standing order and the misrepresentation issue, if I may, Mr Speaker.

MR SPEAKER: You will have to get leave from me to speak first.

MR MULCAHY: With leave.

MR SPEAKER: Pursuant to standing order 46, I presume.

MR MULCAHY: Pursuant to standing order 46, yes, I am sorry. Again, the Chief Minister has left the chamber when I am trying to explain the facts. I did in my comment, looking at the *Hansard* extract draft, ask why the Chief Minister had embarked on a particular budget strategy. He dwelt on the word “significantly”. I did not attribute the word significantly by way of quotation to him, but rather that was forecast. If Mr Stanhope wants to take issue with the word “significantly”, I have no quarrel.

Indeed, Mr Speaker, I went on, when I raised this matter under standing order 46, to put the specific quotation in there. When it was clearly explained in the *Canberra Times* that he was faced with the option of increasing charges or reducing services, his words were: “charging more or doing less”.

I have subsequently spoken with the political roundsman for the *Canberra Times* who has confirmed for me that it is a precise quote, and that is the precise quote I used. The broader strategy I referred to by way of forecast was the clear sentiment from the article, and I expressed it as a forecast strategy. I certainly did not quote him as having said “significantly”—I do not know what tax increases are not—but I believe that I have put the matter correctly on the record.

I am sorry the Chief Minister has left the chamber and did not hear that. I have confirmed it with the *Canberra Times* reporter who said the quotation he used and the one I have referred to in *Hansard* are accurate.

Canberra women

Discussion of matter of public importance

MR SPEAKER: I have received letters from Dr Foskey and Ms Porter proposing that matters of public importance be submitted to the Assembly. In accordance with standing

order 79, I have determined that the matter proposed by Ms Porter be submitted to the Assembly, namely:

The importance of recognising the outstanding contributions which Canberran women regularly make to both the local and global communities. This is particularly important during the period of celebration and reflection surrounding International Women's Day.

MS PORTER (Ginninderra) (3.57): For me to be standing here today to speak about the important contribution that women make in modern society is a reflection on how far we have come in the fight for gender equality. I was fortunate, as a child, to have parents, grandparents and teachers who believed in me not as a member of a gender but as a person who could and would achieve.

Women can now enjoy the democratic right to vote, an objective which seemed like a dream to some of those who fought so hard for it. Together with our male counterparts, we enjoy fairer and safer working conditions and, importantly, we enjoy protection from gender-based discrimination, both direct and indirect.

One school of thought is that the gratitude for these successes should be directed towards the international women's movement and the activists in history who have fought for the rights of women in society. While I agree that these pioneer women should be recognised for their passion and commitment to the cause of gender equality, events such as we celebrated yesterday are just as important for the opportunity they give the public to reflect on the achievements and successes of the so-called ordinary women and the ordinary men who have supported them. We must acknowledge that the mother from west Belconnen achieves just as much, and we must recognise her achievements as much, as the corporate leader from downtown Canberra city. This is the premise of International Women's Day: the celebration of diversity, while at the same time recognising the similarities that bind us together.

As we know, and as has just been talked about in this place, we are fortunate to live in an extremely diverse community. Women are an integral part of modern society, as they have been throughout history, and it is important that every woman recognise this. However, every woman may not have experienced a formal education that outlines women's role in history, so it is essential that we never forget the advancements made by women over time.

Historically, International Women's Day is linked to another great movement that fought for recognition and respect in society: the union movement. Indeed, International Women's Day was first held as an action seeking the 8-hour day for shop assistants and equal pay for equal work. This objective, I am sad to say, is still on the horizon. Despite the fact that women activists successfully fought for equal pay in 1972, women still do not experience pay parity in real terms. In fact, the gap between male and female pay rates is widening. In 1994, women earned 92 per cent of the average male wage. In 2002, this figure has fallen to a level where women earn only 84.5 per cent of the average male wage. This means the fight for pay parity in gender terms has actually gone backwards.

At a time when women are holding positions at the forefront of the economic, political and business worlds, not to mention maintaining the social fabric of the community, it is unbelievable that we maintain an economic equality statistic such as this that would be

more suited to the early 20th century. Not only are women paid less for their time but they are generally being employed in traditional industries like clerical, sales, childcare and administration. Twenty-seven per cent of all women in the workforce are employed in the clerical sector, compared with only 18 per cent in professional positions. This means that fewer than one in five working women are in professional positions, compared to nearly three in five men.

For those who think the fight is over and equality has been achieved, I would challenge you to look at the statistics. This fight is not over here. Until the day arrives when I can rise in this chamber and categorically state that no Canberran is being economically discriminated against on the basis of their gender, until I can say that no woman is making choices based on what she believes is a reduced opportunity, the struggle will go on.

Gender equality is an issue that the ACT government takes very seriously. Over the past four years, the government has advanced opportunities for women in the ACT by acting in areas as diverse as protection against violence, maintenance of economic security, improvement of opportunities to access education and accessibility of women's health services.

The ACT government is committed to continuing its dedication to ACT women by being proactive in its policy formulation and by consulting widely with women in the community. The ACT government has implemented strategies which have enabled ACT women to choose a career as well as choose to raise a family, through flexible working hours, improving the availability of affordable childcare and paid maternity leave for public sector employees. However, due to the penny-pinching of the federal government, affordable childcare is not as widespread as it should be.

There is a long way to go in the quest to have affordable childcare accessible and available to all and to make our workplaces more family friendly. But positive steps are being taken and women are increasingly being given the opportunity, as I said, to choose their future rather than have their career curtailed by their choice to raise a family.

I have other concerns, however. There is a long way to go to improve women's general health status, for instance, in the areas of breast cancer and HIV/AIDS, which still pose a huge threat to women and their general wellbeing and the future health of their daughters. Research released yesterday by the federal minister responsible for women's issues, Senator Kay Patterson, suggests that many women are still struggling with single parenthood and the associated threats to their health that are created by their hectic lifestyle—the lifestyle of juggling work demands and the demands of raising a family as well as trying to maintain personal health. This can be exhausting, and I can attest to this as I am a woman who has experienced this.

The ACT government is committed to ensuring that women are well represented among the leaders and decision makers in our territory. This is evident when you look around this chamber today and see that three out of the nine government members are women—a statistic which we can be proud of but one which should not satisfy us, as is obvious by just doing the maths.

Australia was one of the first jurisdictions to adopt women suffrage and, indeed, has a proud history of fighting for and protecting the rights of women. The movement has achieved a number of practical successes over its history, including the protection of women's property rights, the right to the custody of children and the appointment of female police.

We need to look to the future, however. Women need to contemplate the opportunities that a modern community such as Canberra provides them. No longer are women's lives mapped out for them, as they may have been historically. Women have the opportunity to start businesses, attend university, develop their career paths, choose to have a family and, at the same time, have an eye constantly on what is yet to be achieved. On days of contemplation such as yesterday and celebrations like International Women's Day, it is all too easy to focus on the big picture and take only a historical look at women's issues.

In Australia, we can celebrate that women have the opportunity to reach their potential, and it is important that we, as legislators and as community leaders, do everything in our power to enable this to occur. I would encourage members of the Assembly, and indeed all Canberrans, to reflect on the contributions to society that their sisters, their mothers, their daughters, their aunts and their grandmothers make. It is important that we recognise, affirm and celebrate these achievements.

If you do this, then you will have a greater understanding of the meaning of International Women's Day than I could possibly hope to provide through these words. I would, therefore, encourage each and every member of this Assembly to join me in recognising both the broader women's movement and the individual women who call Canberra home.

MRS BURKE (Molonglo) (4.05): I would like to thank Ms Porter for placing this matter of public importance on the paper and on the agenda today. Indeed, it is very clear that we have some outstanding women in our community and across all sections of the community—business, community services, disability services, you name it. And Ms Porter will know, of course, many of those people from her travels.

Mr Speaker, I had the real pleasure this week of being able to attend a few of the International Women's Day functions—and there have been so many—and Ms Porter and I have crossed paths at many of these events. It has been a positive week. There were some 400 women, for example—and I have to say a lot more men—there. I did notice and make note of that this year. It was great to see. I know that Mr Gentleman, sitting opposite, is a big supporter of the rights of women in this country and particularly in this city. I think it was great to see so many women there from all walks of life. That is what it is about. International Women's Day does not discriminate—creed or colour; race or religion; or whatever. Everybody is there and it is a fantastic day to honour women doing well.

Last evening I had the pleasure of attending the International Women's Day awards in the ACT. I think it is worthy of note that there were some incredible ladies who were awarded: Kim Davison, Melinda Mitchell, Donna Abdul-Rahman, Professor Hilary Charlesworth and Jan Brown. I particularly wanted to mention the community award.

That actually went to Beryl Women's Refuge. It is indeed their 30th birthday as well. So it was particularly poignant that they would win an award.

I think, whilst it is a time to remember women around the world who are still fighting for the elimination of discrimination through gender equity and who are working for peace, human rights and improved living conditions of all women, we must ensure that we keep the majority of our focus locally and not globally. People may disagree with that. We do talk about keeping global and looking local, or something. I forget the exact words. But I think what we have to get into perspective in this place and in this Assembly is that there is a federal parliament that exists to ensure that such matters are given the prominence and profile they need and deserve. It is great that we know that we have those systems and levels of government in Australia where we can really drill it home and look at our own backyard.

So for our part in this place, Mr Speaker, we must remember that the people of Canberra elected each one of us seated here to represent them at a local level. That is, I guess, where I really would like to focus more today in the words that I want to bring forward.

We need to ensure that, as a local government, we are meeting the needs of our community at a local level. I think we would all agree we cannot save the world in this place, but we can go a long way towards making the lives of everyday Canberrans better, particularly women.

It was a pleasure to be present at the International Women's Day awards last evening, as I have said. I would just like, at this point, as a quick aside, to congratulate Ms MacDonald. She had to step in at the last minute. I was sad that the minister, Katy Gallagher, was unable to be there but I understand that she had to attend to family business. I hope all is well there. I heartily congratulate the winners also and I do wish them every success for an even more successful future. It was a fantastic night. I would also like to applaud the efforts of the young people from the Warehouse Circus. They were amazing, being able to twirl a hoop like that—Mr Gentleman, wouldn't you agree?

I want to go back to Beryl's Women's Refuge: no-one in this place who knows the women and the work they do there would doubt for one moment the critical and excellent role and service they provide in our community. It is always very difficult to pick out anyone in particular, and that is why I probably picked out a group of women. They do a fantastic job.

I have just a few notes on them here. They have been established for 30 years. They estimate that more than 3,500 women and their children have been assisted by Beryl to regain a normal life during times of crisis. The refuge has not only provided accommodation to women and their children escaping domestic and family violence over the years but has greatly enhanced the quality of life of women by providing practical assistance in the form of court support, education, healthcare and other assistance for women. Beryl's work is clearly evident in the difference they have made in the community, providing women and children opportunities to increase knowledge, skills and confidence to manage their lives free of violence. I thank Minister Gallagher and her media officer for that quotation.

Of course we must all be concerned at the fact that, whilst Beryl is contracted to provide services for women in crisis for up to three months—and it is a major concern I have here—it is now being forced to breach, in a certain way, its contractual arrangements. “How has this happened?” you might well ask. The situation, as I understand it, from talking with women associated with Beryl and the refuge, is that there is simply nowhere to send their clients on to.

So we have a situation where crisis accommodation is now itself in crisis. Of course, we have seen that. I attend, and my staff attend, regular ACT shelter forums. That is the big cry from the community there, particularly if we focus on women’s accommodation. But other crisis accommodation is in serious crisis. I really hope that we do not hear the cop-out line that gets heard in this place from time to time, that it has been like this for years.

That may be the case, Mr Speaker, but we have a government now, wearing the mantle of government, that really needs to come up with the answers. It is on your watch now, and I think that we really need to be moving forward. The minister, I know, has alluded to the fact that we have an ACT women’s plan, which I have in front of me here. Under its own women’s plan, it has promised to ensure an adequate supply of public and community housing.

I guess that there is great work to be done. Obviously, there is a severe shortage and, obviously, my questions are around the management of some of these things that are happening. But that is a debate for another day. I just really want to continue to elevate and praise the women within the sector. We all have enormous admiration for the women who work in this sector and would also here like to recognise the work of other women’s shelters, crisis accommodation workers and service providers of that type in the ACT.

Whilst ever we talk of admiration of women in our community, I would like to express my admiration for the women who are currently trapped in what I see as less than healthy situations in our community, in our own backyard. We have heard much during this international women’s week, if you like, particularly around International Women’s Day, of crisis. We have got reams of paper off the International Women’s Day website. We heard a fantastic speaker at the luncheon telling us about worldwide problems regarding offences against women.

But here I speak particularly of a number of women I am trying to assist—women and their children—who are in less than satisfactory environments. Obviously, I am not going to reveal their names. I can support it. I have a file in front of me here, for Mr Hargreaves’s interest, but he and his office are well aware of the women whom I am about to talk about in general terms. He understands their plight. However, I see little, if anything, being done to help alleviate that plight.

The government’s women’s plan says:

The Government acknowledges that tenants in public and community housing have individual needs.

The needs are not being met, I would suggest. It is, therefore, quite a concern that the minister is continuing to allow women and their children to endure such unacceptable situations within public housing. I applaud these women and can only hope that the minister will revisit such cases that I have had constant communication with his office about, with a greater level of compassion and understanding in order to resolve their housing issues and to meet their individual needs. I totally agree with the plan, but we seem to have a very inflexible situation or a department that seems not able to be flexible enough. And I think Ms Porter herself alluded to that point about being more flexible.

Mr Speaker, that being said, I have had the pleasure of being involved in the events and talking to a range of women from all walks of life. It has been excellent. Many women whom I have met talked of the great strides made since the first National Women's Day in 1908 in the United States. This helped to inspire, in fact, the first International Women's Day event, which was held in Germany on 19 March 1911.

But it was also interesting, reflecting on the week and the events, that other conversations raised the interesting aspect of how men in our society seem to have lost their way, not really understanding the positive changes that have occurred for women. I guess that is a debate for another day, too, but it always reminds me of why we have such a high level of domestic violence. Ms MacDonald used some statistics—and I always get a bit concerned about that—but I will take it that generally we do hear that it is more men perpetrating offences against females than anything else. That is a concern. But I think we need to start, as a community—as indeed the ladies around my table were asking—to understand that we need to perhaps help men understand their role in life in order that the needs of women can be better met, if that makes sense.

It was interesting to note, indeed, that in a place like Cuba, where there was such a deeply entrenched macho attitude, in 1975, they changed the legislation, in fact, to announce a campaign against deeply entrenched macho male attitudes and practices. I thought this was quite a fascinating thing. A new marriage code, which made housework the responsibility of men and women, was part of this. And that was as early as 1975. So I guess that they chose to realise that men must be involved in a woman's world.

I want to again congratulate Ms Porter for raising this matter and certainly again congratulate all the worthy women, particularly in Canberra. I want to acknowledge their efforts. A couple were young people who will continue, I hope, to be able to contribute in a very positive way to the Canberra community.

DR FOSKEY (Molonglo) (4.17): I, too, want to thank Ms Porter for her speech. I think it is excellent when women's issues are seen as a matter of public importance and, of course, this is the week in the year when it is considered okay by everybody to do that.

I made the decision to move to Canberra in the mid-eighties, not knowing what a good city it was for single women. I think I moved here because it was a city that was reasonably close to where I considered my home. If I had done an evaluation on liveability and support for single women with children, I think this is the city I would have chosen on those grounds—even then, in the mid-eighties, before there was a Labor government or an Assembly. I feel it was a supportive city because of its high number of

well-educated women—what some people then would have called, possibly not complimentarily, femocrats—who were able to steer policy, to some extent, towards a woman-friendly context for people like me.

I endorse almost everything Ms Porter said, and a lot of what Mrs Burke said. While the number of women getting to the top of the public service is increasing, there still is, from the annual reports that I have perused this year, a tendency for women to be clustered around the bottom to middle level positions. I am hoping that situation will change, as the competence of women to take those top positions becomes very clear. I certainly commend the ACT women's plan but, as Mrs Burke said, the proof is in its implementation.

I note that the wages for women working in schools as teachers—the teaching profession being largely composed of women at this time, though when I went to school it was the other way—as nurses in hospitals, in aged care and in childcare are often lower than they might be, if we were comparing the hours that they work and the type of work that they do. I do not know whether there is still that old idea that women are just doing what comes naturally to them—caring for people—and that therefore they are not putting any particular effort into that. That certainly was a factor in setting wages in earlier years and I fear it may still be so even though our rhetoric has changed. I am aware that childcare workers still are underpaid for the work that they do.

I also commend the women working in the community sector of this town. I am aware that we have very strong women leaders in a number of our important community organisations—ACTCOSS for one and Winnunga Nimmityjah for another—and in many of the health consumers organisations and disability advocacy groups, and I could go on there. In a way, I think this is a reflection of the fact that women so often see themselves as embedded in communities, whether it is in their street or at work. They are the ones out in the streets talking to each other and they are often the first to notice that a neighbour needs a visit. Women working in the community sector have chosen to work with some of the most disadvantaged people in our society and often they are working on lesser rates of pay, comparative to similar positions within the public sector. It is an area that we need to look at. We need to ensure that the people who are, in a way, holding our society together are rewarded as they ought to be and work in conditions that allow them to do their best work.

Then there are the women who work specifically in women's services. In the 1970s, women had to fight very hard. They started off voluntarily running refuges and assisting women in violent domestic relationships. It has been through their blood, sweat and tears that organisations such as Beryl are receiving the recognition that they deserve. Much will be said over the period of this Assembly about these sorts of services, and this kind of work, but I just wanted to touch on it here.

I also want to respond to what Mrs Burke said about our focus being on the local. Of course, it is absolutely essential we focus on the community that elected us to serve them but, if we do not keep our eye on the regional, the national and the global, we will be setting our benchmarks too low. It is really important for us to be aware of the fact that we are actually a very privileged society, although we have our disadvantaged people, and that we can afford to assist communities elsewhere in the world, and I think women in Canberra are very aware. We saw yesterday at the Unifem lunch the number of people

in Canberra who are active in Unifem and, indeed, in the agency that I have had a good deal to do with, the International Women's Development Agency. Women actually like to work with other women. They are aware that in helping women, and it is as true in this community as in any other, they are helping more than the women themselves, because of our sense of family, our love for our children and our husbands—if we have them, and if they are lovable—and so on.

Women in Canberra are interested in working with women elsewhere. Women in Canberra worked very hard in 1995 to make a strong Beijing platform for action, and I know many of the women. I remember the network CAPOW, participating organisations of women, and how hard they worked at a time when the federal government was willing to support women's organisations. Sadly, we are in a time when women's organisations are running poor. The Women's Electoral Lobby has not been able to employ anyone for a large number of years—in fact; very few national women's organisations are employed. For that reason, I commend the ACT government for the fact that it supports the work of women's groups in this territory. One of the things that women have learned, and that I have learned from my studies in women in development, is that women need to work together to get anywhere.

If women at home knew that there were many other women with the same issues, and if they could have the opportunity to get together—I think it is called empowerment—it might benefit their lot. So all support for women, especially support for their organisations and especially support for those organisations that work with the women who, at the moment, are least empowered and perhaps unable to articulate their problems, and were therefore not present or eligible for the awards that were awarded last night.

MRS DUNNE (Ginninderra) (4.26): I fully endorse Ms Porter's proposal to recognise the outstanding contributions which Canberra women regularly make to both the local and global communities. I particularly want to mention the outstanding contributions that Canberra women regularly make to the local community through participation in this Assembly.

The ACT, in general, has long had a more enlightened attitude to women's affairs than is true for the rest of the country. And this is true of all political parties. Women are well represented in both general membership and parliamentary representation. In the Liberal Party, we have a long and proud tradition of encouraging women's participation. So much so that we have never felt the need to insist on quotas or targets. Labor, naturally, has to do so.

As the ACT Liberal policy platform makes clear, we believe in the innate work of individuals and their right to be independent, and we encourage initiative and personal responsibility. In like vein, all voting members of the Liberal Party participate in policy development. We have always had equity in practice rather than as purely cosmetic principle.

The Greens, it must be said, have always encouraged women's participation—even when it has obviously been against their own best interests. And as Dr Foskey has demonstrated in her numerous interventions in this place since being elected, at their best, the Greens' women representatives are fearless. In the case of the ALP, women's

fortunes have been no less notable. Despite the absence of a specifically women's faction, Labor has treated its female politicians with the full respect and dignity they deserve: Ros "we have a whiteboard in our office" Kelly and Carmen "I'm sorry I can't remember that" Lawrence, Joan Kirner and another forgettable Cheryl. The list, doubtlessly, goes on.

The ACT party, of course, is even more progressive than its counterparts elsewhere. It was, for example, truly admirable yesterday to see Mr Gentleman living up to his name by making the first government statement in this place on this year's International Women's Day. Like every other female in Canberra, I was distinctly moved by his admonition to celebrate the achievements of all women and continue the struggle for social equity—a sentiment I thoroughly endorse.

Indeed, the only other thing I would add to Mr Gentleman's remarks is that perhaps he should explain the concept of social equity to his colleague, Ms Porter. I say this on the basis of her performance in this place yesterday. Ms Porter appears to adhere to the non-feminist—or should I say non-Gentleman—view that in matters of social etiquette there is one standard for men and another for women. Ms Porter claimed that directing what she termed a four-letter profanity at a member of an ANU student community is inappropriate behaviour for a female politician.

In the first place, Ms Porter, who was present, took this incident completely out of context. The student in question, a member of the ALP, had been yelling nothing but four-letter obscenities straight at me for a considerable period of time and I merely replied in the only vocabulary an ALP activist seems to have mastered. But, more importantly, Ms Porter yesterday gloriously demonstrated the double standard of male and female roles intrinsic in the ALP in general and the Stanhope government in particular. When a male politician swears, he is only using the vernacular and being a bit of a larrikin. Read any account of life in the higher echelons of the ALP—especially one written by Mungo McCallum—and you could be forgiven for thinking that you were reading an account of the extracurricular life of the AFL. But this is totally understandable, and it is totally acceptable because boys will be boys. And the biggest boys club in the country is the ALP.

A member, who had been sitting in the gallery for some time during the debate today, pointed out to me just how boyish the behaviour is in this place. However, when a Liberal MLA responds to a drunken, abusive member of the ALP in this very language—the only language they seem to understand—her behaviour, according to Ms Porter, is inappropriate. Ms Porter is just like the mother who sees nothing wrong with her son's behaviour—no matter how gross it may become—but who maintains much higher standards for her daughter. But that is the way women are expected to behave in the ALP, and Ms Porter exemplifies it. She knows her place, and the boys in the ALP like to have a mother hen.

The truth is that, in every faction of the ALP, with very few exceptions, women are only there for decoration. Whenever they aim for real power, or for whatever reason become a liability, they are discarded with extreme prejudice. The truth is that feminism in the ALP is only, at best, an eleventh-hour ideological facelift.

I therefore second Ms Porter's proposal that it is important to recognise the outstanding contribution, which Canberra women regularly make to both the local and global communities. I simply add the rider that we might in future note that such outstanding contributions might one day permeate the locker rooms of the Australian Labor Party.

MR GENTLEMAN (Brindabella) (4.32): I too endorse Ms Porter's MPI. I appreciate this opportunity to speak about International Women's Day, an important day, as we have heard, for the whole community to reflect on the status of women in our society.

Since the inception of International Women's Day early last century, women's issues have been subject to many ebbs and flows on a political agenda. Over the years these issues have included pay equity, the right to vote, the rights of indigenous women, peace, childcare, access to education and reproductive health. Except with the right to vote, all these issues continue to be major topics of debate and concern for women.

One of the major issues facing women today is balancing work and family, and this is a key area identified in the ACT women's plan launched by Minister Katy Gallagher last year. However, it is a complex issue. This issue has recently been highlighted at the national level with the announcement last week of a federal parliamentary inquiry. Our government in the ACT recognises the importance of employees balancing their work and personal life. The recent ACT public service certified agreement has formalised many flexible work arrangements.

Women's labour force participation has significantly increased over the past few decades. However, large numbers of women are in the part-time and casual work force and the role of women as carers certainly impacts on this. Women in casual and part-time work often miss out on entitlements such as annual leave, sick leave and superannuation. Women often choose to work part-time or casually or to job share so that they can have the flexibility to meet their caring responsibilities. Some women have no alternative, as it is the only type of paid work they can access.

Fifty-seven per cent of employed mothers are part-time workers, and 66 per cent of part-time jobs are casual. Labour force participation amongst women with children aged zero to four is at 49 per cent. Participation by ACT women in the work force remains the highest in Australia at about 66 per cent. There are 2.3 million Australians caring for someone because of a disability or age. Women perform 88 per cent of informal aged care. In 2005, it is still true in our society that the emotional work as well as the physical work of caring is considered a woman's domain. A sex discrimination commissioner's recent findings show that men are more likely to take bereavement leave than take time off to care for sick children or aged parents. Unquestionably, women do a large amount of paid and unpaid work.

Many women feel that balancing work and maintaining relationships, caring for children and family, is becoming increasingly more difficult. Workplace changes need to be flexible and work with respect for those choices of women, and for their individual needs and circumstances. Policies to support women to integrate their family and work responsibilities need to recognise the diversity among women. We need to engage men in this important debate. A study of 1,000 Australian fathers showed that 68 per cent felt they did not spend enough time with their children and 53 per cent felt their job and

family lives interfered with each other. Family-friendly work practices have been shown to be conducive to more productive, integrated workplaces, delivering tangible benefits to both employees and employers.

Policy can direct change in workplaces. However, the challenge lies in changing the entrenched cultures of workplace practice and of our society in relation to the value of caring roles. Women make up just over half of our community and, in order for them to be recognised and valued as full participants, the issue of work and family balance is one that we need to progress as a community. Paid work is important. Caring and other forms of unpaid work are equally important. These are not simply women's issues but issues that currently impact heavily on the lives of working families in our community.

The key objectives of our government include economic security, and health and wellbeing. Crucial to the realisation of these objectives is ensuring that women can access the provisions of work and family balance. The ACT government health action plan acknowledges the need for comprehensive cross-sectional approaches to respond effectively to the social detriments of health, including stress, social support and work.

Flexible workplace measures also encourage employers to develop policies that enable the participation in the work force of women with disabilities and older women. For women in the ACT, the government is committed to supporting and promoting flexible work arrangements in both the public and private sectors.

A tangible example of how the ACT government seeks to provide Canberra women with choices and access to flexible workplaces is the publication titled *Expectant & new mothers: ACT workplaces, guidelines for employers and employees*. The guidelines describe the rights of women during different stages of their working lives including pregnancy, returning to work after childbirth, breastfeeding at work and adoption rights. The aim of the document is to draw attention to the fact that family-friendly workplaces are the employee's right and is conducive to a more productive, integrated workplace. The ACT government is committed to realising a healthy balance between work and family, for the health and wellbeing of our community and the achieving of economic security for the territory.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (4.38): I too would like to thank Ms Porter for raising what is a very important matter in the Assembly today and I am pleased to have the opportunity to speak about the significant contributions that women in the ACT make to our community.

International Women's Day is a global celebration of the achievements that women have made. Since the first International Women's Day in 1911, observed in a number of European countries, women around the world have continually campaigned for their rights and for equality in many arenas.

Although cultural and social priorities are constantly changing around the world, women have always been at the forefront of working for peace, for human rights and improved living conditions. This year, while celebrating their achievements, women around the world are still fighting for gender equity and the elimination of discrimination, calling

for help and support for those women who do not yet have access to the same opportunities.

Here in Australia women have made substantial efforts to improve their own status while at the same time enhancing the social, economic and cultural life of all Australians. Recognising the contributions that women make in a rich range of roles and capacities is an important part of this process. Still, too often, women's achievements are not formally recognised. For example, less than one-third of the recipients of this year's Australia Day honours were women. Also, when women's contributions are recognised, they are often not portrayed in a positive way—or the most positive way.

Yesterday, as part of International Women's Day, Senator Kay Patterson released an important report *Women in Australia 2004*, providing a profile of Australian women's lives over the last 10 years. However newspaper reports used headlines such as "Women older and fatter, and sex more a turn off"—a disappointing statement in relation to a very important report profiling the lives of women over an entire decade summarised into a headline such as "Women older and fatter and sex a turn off". I think it serves to reinforce an outdated and offensive gender stereotype.

In the ACT, women make up just over half the total population. It is vital that they are part of decision-making processes at all levels and that their wide-ranging contributions to the community are recognised. Representation and recognition for women in the ACT are key objectives of the ACT women's plan released in September last year. As part of this objective, the government has put in place a range of mechanisms to ensure that women and girls are valued contributors and equal participants in community life. I would like to take the opportunity today to profile the achievements of some outstanding women in our community.

The ACT International Women's Day awards, which were presented last night in the Great Hall of the Australian National University, provided an opportunity for the community to celebrate and highlight the achievements and contributions of women. The awards program also encourages the community to nominate women whose outstanding achievements have enriched the lives of others in our community. The recipients of this year's awards have made significant contributions in a diverse range of areas including the arts, human rights, and services to people with disabilities, women and children in crisis, indigenous youth and the multicultural community.

For instance, Jan Brown, one recipient of the 2005 women's award, has made an outstanding contribution to the arts in Canberra over the past 50 years. Jan has worked as an artist, teacher, mentor and arts activist and was the creator of the much-loved group of kangaroos by the Nerang Pool in Commonwealth Park. Her tireless work to raise the status of the arts in Canberra is a key factor in the scope and diversity of artistic expression that we enjoy today.

Beryl's Women's Refuge was the proud recipient of the community award last night, recognising 30 years of service to the Canberra community, helping women and children in crisis to regain a more stable life. Beryl was the first refuge to be set up in the ACT, in 1975, and it is estimated that the service has assisted more than 3,500 women and their children in that time. The refuge has not only provided accommodation to women, and their children, escaping domestic and family violence but also has greatly enhanced the

quality of life for women by providing practical assistance in the form of court support, education, health care and other assistance. Beryl's work, which is very much the work of women, has made a real difference in our community, providing women and children with opportunities to increase their knowledge, skills and confidence.

There were other award recipients last night of course and there have been a number of wonderful women who have received recognition in previous years, certainly too many to speak about today. The publication *Honouring our women*, released in December last year, profiles the stories of 19 local women. This booklet is one way in which we have sought to ensure that the achievements and contributions of Canberra women are recognised.

The ACT women's grants program is a new initiative that has been identified in the 2004-05 budget. The program has generated significant interest from the community with over 60 individuals and organisations submitting applications to undertake a diverse range of projects. Twenty-one projects will receive funding for a range of projects that contribute to the objectives of the ACT women's plan and enable community organisations to enhance their capacity to provide programs and services that meet the needs of women in the ACT.

The recipients of these grants are women and organisations that support women in our community. The community education and training program, which will receive \$10,000, will work to develop information forums, skills workshops and training programs to assist women from diverse backgrounds to gain employment in the ACT community sector. The Multicultural Women's Advocacy Service, which will receive \$2,500, will work to expand its membership base, strengthen its governance capabilities and further its links with women from other community associations and women's service agencies.

In supporting the right of all women to participate equally in shaping all aspects of society, we are strongly committed to encouraging and supporting female representation on boards and committees. We are currently developing the ACT women's director scholarships program, which aims to develop the skills and knowledge of women who are or aspire to be in high-level decision-making roles. The program will offer a choice of two directorship courses, which are conducted by arrangement with the Australian Institute of Company Directors. The program will certainly assist women in undertaking important leadership roles and to gain recognition in the Canberra community.

I encourage all members to celebrate the contribution of women in the ACT and to continue to support and progress initiatives and programs that advance the status of women in the ACT. Again, I thank Ms Porter for raising this very important matter of public importance. It is a debate that we need to continue to have, recognition for the contribution that we continue to need to make. To some extent, I think it continues to take many of us by surprise that in 2005, in Canberra, in Australia, we still find the need to acknowledge the contribution of women and to acknowledge and recognise the range of impediments or unequal treatment or apparent discriminations that are suffered or faced by women here in our community and, indeed, throughout Australia and the rest of the world.

I think we are all aware of the range of issues that women, particularly, face in homes, in the workplace and as carers. We need, continually, to be reminded of the road yet to be travelled in assuring a genuine equality of opportunity for women in the Canberra community, for women throughout Australia and throughout the world. Many of the barriers and much of the discrimination, or the difficulty faced by women is at times insidious. It is not generally acknowledged and much of it, of course, comes as a result of enculturation of men and the stereotyping of women in certain roles. Stereotyping or acceptance or enculturation leads to inequality between men and women, not just in the home but also in workplaces and in many other places throughout our society, throughout the community. It is important that we do not just dwell on that, that we acknowledge the enormous contribution that women make as they deal with all different aspects of life. I am very pleased to have been able to contribute to the debate today.

MR SPEAKER: The discussion is concluded.

Smoking in public places

Debate resumed.

MR SMYTH (Brindabella—Leader of the Opposition) (4.48): This is an interesting motion. It follows some recent amendments by the Assembly to the Smoking (Prohibition in Enclosed Public Places) Act. It is interesting because, to the best of my knowledge, we still await an explanation by the minister as to the meaning of the 75:25 per cent rule in the regulations. I think the government has got to clear up that confusion quite quickly. In an article running on the ABC, the ACT health department has conceded that the so-called 75:25 rule is arbitrary and is not supported by any scientific study.

We need to know how the government will make this work because it is not enough to simply say that we have set this rule and the rule will go ahead. Perhaps the minister might like to seek leave to speak again. I would like to know, firstly, when will we see the regulations; secondly, how will they administer those regulations and, thirdly, how will they monitor the effect of those regulations? I think there is uncertainty out there and unless we clear up this uncertainty, the confusion may well have the effect of undoing the big step forward that this legislation largely is.

That being said, this will still be too slow for some; for others it will be too fast. Given that the ACT has led the way on anti-smoking legislation for a long time, one can understand the sense of frustration out there in the community. We on this side of the house have said and maintained consistently that we would like to see the entire community going forward. We do not want people dropping off the end. We do not want people breaking the law. We do not want people standing in the way of the law and court action and legal action and all that might come from it. The only way to achieve real change in how we address smoking is to work together. I have spoken to people on all sides of the argument, be they doctors or publicans or club directors or whatever. Everybody concedes that smoking is not a good thing and that there must be a path together.

I thank Dr Foskey for moving the motion. What we need, though, before we can support the motion is more detail. We need the regulations. We need an explanation from the government. Does 25 per cent include roof space as well? If it were a perfectly square room, you would say, "Twenty five percent. Knock off one wall." But do you have to lose 25 per cent of the roof as well? What is the basis of the 25:75 per cent rule? The problem is that some pubs and clubs have already taken some action. In some cases they have already spent money on their interpretation of what it would mean, based on what they have been told by officials. But until we get the actual detail, the problem will be that the uncertainty may have a detrimental effect on how people see what it is the government is trying to achieve.

We have said that we will monitor the situation, and we stand by that. The government laid the path last year. We now know that the extractors will go. We are taking big steps forward. But we also want to know that the government will actually monitor this and enforce the law. There are many examples that have come to us from consumers and constituents where it is currently not being monitored appropriately, and I am not aware of anyone being analysed under the law, as it currently stands. The minister might like to clear that up, but I am not aware that there have been too many notices issued. I am not aware of anyone who has lost a licence for disregarding the existing law.

If the public and the pubs and clubs and those with business interests are to have some confidence in the forthcoming law when the regulations are finally made—and those regulations will, of course, go to the Assembly for scrutiny—then we need to know from the government how they are going to enforce this law and what assurances there will be that it will be monitored because if some groups are just going to ignore it, they will gain a competitive advantage and if other groups do the right thing, they may well be punishing themselves.

We have to have consistency, and that is what we have asked for the entire way forward, that there be consistency, that the timelines be adhered to, that there be clarity in what the government is saying they will do and that everybody is singing from the same song sheet. The opposition has said, and I will say it again, that we will monitor this very closely so that we know exactly whether or not the government's decision is working. If it does not, then we will be coming back to the Assembly with our own modifications. But let us not get to that stage. Let us give people out there the certainty that they deserve, so that everybody knows that we are all moving forward together.

Mr Corbell's amendment is probably acceptable to the opposition simply because at this stage we need to know exactly what the government is doing. Mr Corbell lists some of the government's achievements in this area. It is quite interesting that the ACT has one of the lowest adult smoking rates, but I understand that, for instance, the smoking rate among young females is going up. I think we need to do more there. We certainly need to do more to educate people about the health risks of smoking.

With those few words, Mr Deputy Speaker, at this stage the opposition will support the amendment, which will modify significantly the intent of the motion. But we put the government on notice that, one, they have to explain the 75:25 per cent rule, so that there is clarity out there and so that confusion disappears and, two, they must tell the community how they are going to enforce this law so that everyone with an interest in

this area works together to ensure that we minimise the impact of smoking on both staff and patrons in these establishments.

DR FOSKEY (Molonglo) (4.54): I still have not heard the health arguments on which the government's definition of "unenclosed" is based. Perhaps they are difficult to find or perhaps they are still being sought.

Mr Corbell asked, prior to moving his amendment, for my definition of a "smoke-free place". I have not had access to the experts that he has had, as minister, although I fear that his use of experts was, as we have seen in other aspects of this government's work, selective. I would like to give a definition of a "smoke-free place". I am not an expert. I suppose I speak, really, in a similar way to the average Canberra resident surveyed by the Heart Foundation. My definition of "smoke-free place" is identical to that applied in Brisbane, that is, that there be no smoking at all in indoor areas or outside, close to people who choose to eat and drink distant from environmental tobacco smoke. That is my definition and I suppose it is based on common sense. Mr Corbell's dismissal of the Heart Foundation survey reflects I think, a certain political bias. I suspect that if the survey's results had endorsed his approach, he would have been less critical of its method and more of the understanding of the respondents to it.

The government's amendment would remove paragraph (2) of my motion. I am rather sorry to hear that the Liberals have already announced that they are going to support the amendment. The amendment, of course, is quite innocuous. It is simply a statement of the situation. I want to look at the elements that Mr Corbell feels must be removed. Paragraph (2) reads: "calls on the ACT government to ensure that the consequent regulation: (a) is based on the precautionary principle". I suppose we all understand what the precautionary principle means, but given that we did not all understand this morning what a catchment was, I might just go into that one. The precautionary principle is, I believe, that we should not proceed with action if there is any uncertainty at all about deleterious impacts that it might have. In this case, we can be reasonably certain that environmental tobacco smoke has bad effects on health. Nonetheless, given that the ACT government is committed to sustainability, of which the precautionary principle is one part, I would have thought that subparagraph (a) would have been quite acceptable to the minister.

Subparagraph (b): "makes workers' and patrons' health the first priority". I am sure the ACT government would say that, yes, it does make workers' and patrons' health the first priority. In that case, why is it necessary to remove section (b)? Then, subparagraph (c): "ensures that risk to the public is the primary consideration in determining the degree of enclosure permitted in smoking places". I suppose that, when voters went to the polls and elected the first Labor majority government we have ever had in the ACT, they felt that they were placing their health in the hands of a party that put their needs first, that would do what it could by regulation to ensure that their health was safeguarded as a primary aim of the government. I am not sure why that one is being removed either.

Subparagraph (d): "is consistent with the analysis of the government's own regulatory impact statements on smoking prohibition legislation". We have seen the government being a little bit cagey here, preferring to use its earlier regulatory impact statement to support its arguments while trying to ignore its second regulatory impact studies, which indicated that smoking anywhere in any place that was in any way enclosed was

deleterious to health. Perhaps there are some questions about why they might not want to agree with subparagraph (d).

Subparagraph (e): “complies with ACT occupational health and safety law and is consistent with National Occupational Health and Safety Commission recommendations.” I do not think that the government would want to not comply with ACT occupational health and safety law. I think that the government would see it as its job to be consistent with National Occupational Health and Safety Commission recommendations. I am not sure why Mr Corbell wants that one removed. Does he say he does not want to comply with ACT occupational health and safety law, because that is the implication?

Finally, subparagraph (f), and I believe this is the one the Liberal Party representatives here had a problem with. It is interesting to consider why that might be the case. It reads: “in the interest of the health and wellbeing of people with gambling problems, does not permit smoking in the same place as, or in sight of, gaming machines”. I read in today’s *Canberra Times* the results of a study that says that young people are becoming involved in gambling at a greater rate than the older age group in our society. I would have considered that we would see that as a problem. Most of these people, being under the age of 18, are not yet old enough to enter these premises where drink is available. I would have hoped that we would be concerned about their health and concerned to break that cycle of gambling as soon as we can.

There is a bit of a double standard here in the Assembly. We assert that we care about people’s health and wellbeing. We assert that we actually would like to help people with gambling problems, often in ways that may not seem to be in their best interests. For instance, the very nature of addiction is that people often want to stop at one level and not at another. That is true about smoking; it is true about gambling. I do not think any smoker believes that they are doing something that is good for their health. Nonetheless, they continue it. That is why smokers agree, in that survey and elsewhere, with the idea that there may be very few places where they can smoke and that they might have to have a few discomforts in order to have that cigarette.

I am pleased to say that we have had emails from the Cancer Council ACT, the ACT AMA and the tobacco taskforce. Each has provision in their mission statements to ensure the right of non-smokers to smoke-free air. The Cancer Council’s position is that passive or environmental tobacco smoke is deleterious and that smoking should be prohibited in all public areas, including in all indoor work places and restaurants and on public transport. The primary concern of these societies is the health of people in the community. It is difficult to see how the government can hold its head up. The government’s amendment so innocuous, it is hard to reject it. I am disappointed that the government has felt it necessary to move the amendment.

Amendment agreed to.

MR DEPUTY SPEAKER: The question now is that Dr Foskey’s motion, as amended, be agree to.

DR FOSKEY (Molonglo) (5.05): No one is saying that the removal of smoking from inside buildings is not a good thing. This debate has been about what constitutes an

unenclosed place where people can smoke. I think we need to explore what the 75 per cent rule will, in fact, deliver. Mr Gentleman, for some reason, seems to imagine that people will hop outside for a quick cigarette and then hop back in again. Unless there is a whole raft of other controls in the regulation, I imagine that we can expect rooms that are more internal than external, with gas heating, wind protection, comfy chairs and, if permitted, bars, bands and poker machines. Indeed, I believe that there are already some such spaces being constructed in anticipation of this regulation. Given that most of these places will have roofs, the walls of the more convivial areas will fill up with smoke. We should have no doubt that the presence of environmental tobacco smoke will remain significant.

The government's amendment actually includes references to the first regulatory impact statement for this smoking legislation, which presumed that people smoking in unenclosed spaces are not, in fact, hanging around on 75 per cent enclosed patios and completely ignores the later regulatory impact statement, which specifically addresses that issue of enclosure and specifically recommends a more unenclosed approach to smoking places.

One has to wonder why the health minister, in making his decision to negate this motion, cannot support our call to make workers' and patrons' health the first priority, will not follow the findings of analysis done by his department on this issue, cannot agree to pursue National Occupational Health and Safety Commission recommendations for smoke-free workplaces and will not help problem gamblers by severing the link between smoking and pokies. I really think the Labor government could achieve even more than it already does if it were prepared to take the occasional step back and acknowledge mistakes. Were it to adopt such an approach, most of us would see it as a sign of maturity.

Motion, as amended, agreed to.

Order of the day—postponement

MR GENTLEMAN (Brindabella) (5.08): I move:

That private members business No 3 be postponed until a later hour.

MRS DUNNE (Ginninderra) (5.08): Can Mr Gentleman explain what is going on here? He might like to consult with other members of the house before doing these sorts of things.

MR DEPUTY SPEAKER: We are now dealing with order No 3.

MRS DUNNE: Do you want to consult somebody first?

MR DEPUTY SPEAKER: Mr Gentleman, do you wish to explain or are you simply going to go ahead?

MRS DUNNE: Can you explain what is going on because no one has consulted the opposition?

MR DEPUTY SPEAKER: Order, Mrs Dunne! I do not believe Mr Gentleman is required to explain what he proposes to do.

Question resolved in the affirmative.

Neighbourhood Watch—Isaacs

MR MULCAHY (Molonglo) (5.10): I move:

That the Assembly:

- (1) recognises the important work of the Isaacs Neighbourhood Watch and commends them on their achievements during their first year of operation; and
- (2) notes the efforts of committee members for their efforts, (a) Deborah Todd (Area Coordinator), (b) Lorrie Daley (Secretary), (c) Margaret Weir (Public Relations), (d) Dianna Marshall (Treasurer), (e) Wal Hick (General Committee Member), (f) Jane Hick (General Committee Member), (g) Nevill Howarth (Committee Member and News Distributor) and (h) Anne Huffam (Committee Member).

As members would be aware, Neighbourhood Watch committees are formed so that members of the community can live within their neighbourhoods comfortably and securely and take encouragement from the fact that others are working to be vigilant in relation to break-ins and various crimes in the neighbourhood. I think the fact that, in the last election campaign, both major political parties made commitments in relation to the Neighbourhood Watch program, albeit at varying levels, is indicative of the fact that it was seen as an important group to whom we ought to apply our attention. Whilst we would like to see greater support applied to those groups, there is no doubt that everybody is of the view that they work very well in many parts of Canberra to assist in ensuring that we live relatively safe lives.

Members of these groups unite and accept a personal and social responsibility in the promotion of a sense of wellbeing, safety and security for residents through reducing both personal and property crime. Within their first year of operation, the Isaacs Neighbourhood Watch committee has been very active and, to their credit, they have successfully achieved numerous results. These results act as preventative measures and also solve problems related to the safekeeping and protection of Isaacs and other suburban communities that surround Isaacs. Their very active committee meets once a month. In addition, they regularly participate in the activities organised by the ACT Neighbourhood Watch committee.

The Isaacs committee is made up of various elected officials. I will mention them for the benefit of the Assembly. The members of that committee and their specific roles within the team are as follows. Deborah Todd is the area coordinator, probably known to a number of members of the Assembly. Lorrie Daley is the secretary. Margaret Weir handles public relations. Dianna Marshall is the treasurer. Wal Hick is a general committee member. Jane Hick is also on the committee. Nevill Howarth is on the committee and is also responsible for distributing their news to residents of the area. Anne Huffam is also on the committee.

Some of the outcomes that have been achieved through Isaacs Neighbourhood Watch include matters that I suppose in earlier days in my life would have rested more with a progress association, but it seems that the nature of some of the Neighbourhood Watch groups is that they have extended into taking on interests and issues that impact on the community that extend beyond just issues of property and crime and other crime-related matters. I understand that they are responsible for the erection of some 27 street signs throughout the suburb. They have embarked on ensuring that a number of house numbers are painted on gutters. This is of benefit not only to residents and taxis, but also to emergency services. More than 100 homes have benefited from those efforts.

They have successfully conducted two information expos and two community meetings. The expos have involved inviting a number of organisations to come and speak with the Isaacs community on various issues. Organisations and services present included the Australian Federal Police community service division, the ACT fire service and several security companies offering advice and services on safety measures and general security around the home and neighbourhood. From my recollection of visiting one of their events, they have also secured some sponsorship support from one of those security firms. That is a commendable contribution to the community.

An annual meeting has also been held and the speakers at that meeting included Constable Jason Van de Kamp from the AFP traffic division and a representative from the community liaison advisory safety project. Close links have also been established with ACT community policing. This is vital to the operation of the committee and is most valuable, should assistance be required from the police.

A newsletter has been produced. One came out the other day and some of you may have received it. This is now being distributed monthly to residents in Isaacs. Assistance has also been provided from Isaacs to ensure the re-establishment of the Mawson Neighbourhood Watch committee, and I think that is indicative of how responsible and caring communities know how and when to lend a hand. I know there has also been very good cooperation from the O'Malley Neighbourhood Watch group who have been very active in the neighbourhood as well.

A safety house program has been established in Isaacs. As many would know, this has been a longstanding program in Australia that has been quite successful and is particularly beneficial for our younger citizens. In most recent times the committee also participated in the Clean Up Australia Day activity that was also supported by many members of this Assembly and others throughout our community. The concerns of the Isaacs Neighbourhood Watch committee and the community generally stretch far and wide. Real pride is taken in the maintenance and care of the neighbourhood as well and, as I indicated, their brief has now been extended to matters that are not simply confined to property crime, although that is obviously their primary brief.

Neighbourhood Watch is a voluntary organisation and often the hard work of committee members is forgotten or not even recognised in the first place. Without these caring members of the community, many safety and security issues within neighbourhoods would go unaddressed and could ultimately lead to harmful and damaging consequences. There would be greater pressures on the police in terms of resources if we did not have the voluntary support of these groups around Canberra. Indeed, in the very early stages

of the last campaign, I had the opportunity to attend a combined meeting up in Gungahlin of some of the Neighbourhood Watch groups. It was very well attended, very well supported, with a lot of focus on issues, particularly in relation to the unsatisfactory state of the police presence there, but it was indicative of the feeling of people who are willing to get out and get involved and express their concerns.

I would like to publicly acknowledge the work that the committee is doing in Isaacs, particularly their outstanding performance in their first year of operation. It was very impressive to go to the Isaacs shops where they were meeting with members of the community and see how enthusiastic all the different people were.

Recognition should also be given to Karen Rush Real Estate, which has been providing a deal of assistance through sponsorship of the Isaacs Neighbourhood Watch committee. Community support by means of sponsorship from other local businesses or similar is very important and valuable to the operation of these sorts of voluntary committees. The time people give up is recognised, I think, by all members of the Assembly. I hope that it is fully appreciated. I know sometimes those involved in Neighbourhood Watch reach a sense of frustration that there is a handful doing the work, but I think the silent majority does appreciate what they are doing, I know most of us read the newsletters that come into our neighbourhoods and I think we should give all the support and encouragement we can toward the work of the Neighbourhood Watch in Isaacs.

MRS BURKE (Molonglo) (5.18): I appreciate my colleague Mr Mulcahy moving this motion today to praise the efforts of Neighbourhood Watch in Isaacs. Neighbourhood Watch is one of the most effective and most successful crime prevention initiatives in Australia. Behind it lies a simple idea and a central value shared by people within a neighbourhood. Today we are talking about Neighbourhood Watch at Isaacs, but not exclusively. We have seen recently the reinvigoration of Neighbourhood Watch in Curtin. Unfortunately, I had the sad task of attending the final meeting at Fisher, which was a little disappointing. If there are any budding Neighbourhood Watch people in the Fisher community, we hope that they will start to reinvigorate that particular branch.

Building a neighbourhood together that aims to combat local crime and a place where people feel safe and secure is the key message that Neighbourhood Watch sends. Everybody knows that the police are there to fight crime, but they also need people to remain vigilant in order to help them to do an effective job. Neighbourhood Watch is all about an active partnership with police. Neighbourhood Watch schemes can cut crime and the opportunities for crime, help reassure those who live in the community and encourage neighbourliness and closer ties within communities. Indeed, Mr Mulcahy has mentioned many aspects of that within the Isaacs community that are certainly indicative of the efforts there to build a stronger sense of community.

Neighbourhood Watch is not just about reducing crime figures. It is about creating communities that care and bring people together, thereby encouraging an environment where we can all make a real contribution to improving our lives. Such vigorous activity of Neighbourhood Watch members can foster a new community spirit and a belief in the community's ability to tackle problems. At the same time, you feel secure knowing your neighbours are keeping an eye out for you. We have a prime opportunity in the way that Canberra is set up to be able to run Neighbourhood Watch schemes very effectively.

Again, we praise the Isaacs Neighbourhood Watch and thank them for the work they are doing.

On a more personal level, this scheme allows people to become familiar with crime prevention ideas that help keep the home and belongings safe. Members might be interested to know that Manly Council have what is called “meet your street”. I recently spoke about a neighbour day, which I have written to the minister about, and he may still be considering that idea. Again, all of these things are ways in which we can support existing groups like the Isaacs group and like the recently formed Curtin branch of Neighbourhood Watch.

Neighbourhood Watch schemes also allow for greater consultation of local police. My colleague Mr Pratt may be speaking on that aspect, too. Most crime is opportunistic, committed on the spur of the moment. We all identify the traditional scope of the scheme, where neighbours look out for any suspicious activity in the neighbourhood, but more can be done. Targeting local problems, such as vandalism or graffiti, are well within the scope of a well-organised watch scheme. Fitting more secure door or window locks in vulnerable homes or improvements in street lighting are good examples of further efforts. Of course, having a branch there, being the eyes and ears of that community, can achieve many of the things that Mr Mulcahy alluded to in a suburb like Isaacs.

It is often the case that a home that has been burgled is more likely to be burgled again than a home that has not. If it does happen, it is likely to be within the next few weeks. After all, a burglar has been into the home, found the weak points in its security and had a good look at the contents and layout. So stepping up the security of a burgled home straightaway can prevent a further crime.

Neighbourhood Watch schemes can tackle this problem by forming protective cocoons around burgled homes. Immediate neighbours can keep an eye on the targeted home, to be especially watchful for a few weeks and to report anything suspicious to the police. Where these cocoons have been set up following a burglary, they can have a dramatic impact on preventing another crime in the high-risk period. I urge the government to continue to promote Neighbourhood Watch and to support their efforts wherever possible. I am sure the minister is committed to that. We want to see more of them, not less. It is really great that we have this motion on the notice paper today.

I quickly want to mention young people in Neighbourhood Watch. We must not forget our younger generation here. Young people are particularly vulnerable to certain types of crime and have their own perspective on which crimes matter most. Encouragement is the key and perhaps a youth action group could be attached to a senior Neighbourhood Watch scheme or a local school to deal with areas of crime that are more likely to affect young people. Young people themselves can be the driving force of these groups, but they can benefit and take their plans further with help and support from adult groups such as Neighbourhood Watch. I know that Mr Mulcahy himself has young teenage children and they may be interested in following through on that particular idea.

In turn, Neighbourhood Watch schemes can get an accurate picture of youth crime in the neighbourhood and can tap into an energetic resource to tackle such problems as alcohol and substance misuse, personal safety, aggression and violence, car crime, vandalism and

graffiti, truancy, bullying, peer group pressure, arson, burglary and the like. The point I am offering for consideration is that Neighbourhood Watch and branches like the Isaacs branch have the capacity to extend beyond their established boundaries and further develop their capabilities, allowing members of the watch to contribute further to the safety and wellbeing of people in any given neighbourhood where the scheme operates.

It is certainly a commendable scheme, one that is firmly established in the ACT and one that I am sure the minister is fully supportive of, as is the opposition. I most certainly congratulate and commend the work of the Isaacs Neighbourhood Watch committee and wish them every success for the future, as I do for all other Neighbourhood Watch groups.

MR PRATT: (Brindabella) (5.25): Mr Speaker, I rise to support Mr Mulcahy's motion and to congratulate the Isaacs Neighbourhood Watch Committee. The difficulties of running and maintaining a Neighbourhood Watch system are quite large. The challenge to maintain momentum and enthusiasm in suburbs that establish Neighbourhood Watch committees is always something that members have to work particularly hard on.

I recall the birth of Neighbourhood Watch in the 1970s. I was an early member of the Latham Neighbourhood Watch in the early 1980s. It is always the case that it is the keen 10, 15 or 20 who get out there and do all the hard work, and that clearly has not changed in the years since.

I would like to congratulate the Isaacs Neighbourhood Watch committee. I would like to personally congratulate the principal officeholders of that particular committee, Deborah Todd, Lorrie Daley, Margaret Weir and Dianna Marshall. These sorts of things can be a thankless task. Perhaps that is not the case here. It may indeed be a labour of love but often, when community members step forward and volunteer to do these things, they can carry most of the burden.

The Isaacs Neighbourhood Watch has clearly had a very active first year of operations. Perhaps this is at a time when other Neighbourhood Watch committees, other suburban committees, tend to be falling away, and a lot of hard work has got to be done to keep that enthusiasm up. Certainly, in the Isaacs area, I recall attending a number of successfully organised Emergency Services briefings that had been coordinated by the local Neighbourhood Watch on a variety of issues. Certainly, the fixing of a very significant number of street signs and gutter-painted house numbers and the safety house program that has been put in place by the Isaacs Neighbourhood Watch, as detailed by Mr Mulcahy earlier, clearly are testament to their hard work and their success.

I put it to you, Mr Speaker, that the Isaacs Neighbourhood Watch committee model, in terms of its organisation, its objectives—and, I might add, objectives which go beyond the community safety mode and incorporate Urban Services matters as well—is perhaps a model that could well be copied by other suburbs that may be looking to rejuvenate their committees or to establish committees for the first time. The Isaacs model is a good model. Clearly the Isaacs model, whereby they also take on local roads, rates and rubbish issues, is also a good secondary role, I think, for a Neighbourhood Watch committee.

In fact, I would give you an example of another successful Neighbourhood Watch committee. It is in Pearce. It is an entirely different model made up of essentially older

folk, people who had been subject to a lot of burglaries, until about two years ago. They said that enough was enough and they established themselves. They had a very robust committee when I visited them and had a number of meetings about 18 months ago. They also had, of course, a good relationship with the police. That is also a secret ingredient. You have got to have that relationship, otherwise the committee simply cannot achieve its aims.

I know the police are particularly concerned at the waning interest in Neighbourhood Watch committees, and so something needs to be done to assist suburbs to regenerate their committees and to get things back on the road. Perhaps this is partly because volunteerism across Australia and, indeed, across most developed countries is on the wane as well. That is not being tough on people: life is just so much faster now. People do not have as much time as they once had to commit to their communities.

The police are, indeed, looking for ways to try to regenerate enthusiasm. Why? Because the police rely on Neighbourhood Watch committees to provide some of the community-based intelligence that police need to be able to gather. I must say this: the work that I have seen undertaken by the police in their liaison roles with Neighbourhood Watch committees has been very good work. Where the police have got a strong relationship with a Neighbourhood Watch committee, the combination is very successful. A lot of good work is done; a number of issues are, indeed, resolved.

If we can just go back to Isaacs for a moment: there is an issue, of course, that I think is probably one of the issues that have sparked an interest in the last year and driven the enthusiasm in that Isaacs Neighbourhood Watch committee. Isaacs shops has been subject to a lot of burglaries over the last four to five years and a number of shops, particularly the smallgoods grocery there, have been burgled three to four times each.

In addition, Isaacs shopping centre in the last eight months has seen the dealing of drugs being undertaken, not only after hours but—for God's sake—even in broad daylight. People between the ages of 16 and 30 actually set up shop in the car park and have been dealing, indeed quite brazenly. People have come to use the public phone box right next to the front door of the shop at the Isaacs grocery without any fear or concern of being caught.

I know that has been reported to the police and I do know that undercover police have responded. But, again, because we do not have enough police, they have not been able to do much about it. It is thought that, in that Isaacs/southern Woden Valley area, these people move from shopping centre to shopping centre. They know that there is only so much the police can do, given that police numbers are too small.

I want to turn to Neighbourhood Watch's role in the community policing strategy. We, on this side of the house, regard community policing as essential to good ACT policing. Community policing is a fundamental plank in policing. Whilst the definition "community policing" is used, we do not believe that ACT police are effectively carrying out community policing. Essentially the reason is that they do not have the resources and they do not have the numbers to be able to provide the presence of policing out into the group shopping centres and suburban areas in general.

Of course community policing depends on a robust network of Neighbourhood Watch committees, which brings me to my next point which is that it is, therefore, very important that the government needs to step in and help rebuild the Neighbourhood Watch network. More funding needs to be put in. I would like to question whether the funding has dropped off within the last couple of years. There is a question that perhaps the money has dropped away. I am afraid to say that, without sufficient funding being put in by government, we are not going to be able to maintain that enthusiasm, because volunteers only go a certain way. They need their operating costs paid for.

Certainly the police need to have the resources to be able to provide more police in liaison roles with Neighbourhood Watch committees. So the twin concern here of enough police numbers out there to form community policing presences and government funding to provide encouragement to suburban communities to establish, regenerate, start up or to keep going Neighbourhood Watch committees is important. And I would call upon the government to have a good, hard look at this.

I hope that that is done and I wish the Isaacs Neighbourhood Watch committee and all the other Neighbourhood Watch committees that are struggling all the best. It is very important that we get them active. It is very important that community policing, on the other side of the balance sheet, is also given the resources to be able to carry out preventative policing. Neighbourhood Watch committees can be the eyes and the ears of a community policing presence. Community policing means the collection and collation of community-based intelligence. All of this goes towards preventing crime, which surely must be our aim.

MR STEFANIAK (Ginninderra) (5.35): I echo members' congratulations to the Isaacs Neighbourhood Watch. Mr Pratt touched on a very important issue—in fact, several important issues. Neighbourhood Watch does operate at its optimum when the police are able to put in the resources to assist it, the volunteers are there, the support is there for the volunteers and basically the money is there to ensure that the organisation—and I think we have several dozen Neighbourhood Watches, as I understand, in Canberra—operates effectively. At one stage I think it was up to about 60 or so. Certainly there have been problems in recent years. But the more zones that operate, the better it is. I actually live in a zone that is not covered by Neighbourhood Watch, which I find a bit of a shame, but I have gone to quite a few Neighbourhood Watch meetings.

Mr Speaker, in terms of the financing, Neighbourhood Watch at times has had some good sponsorship. But it is one of the most deserving organisations for government support. Government funds a plethora of organisations. I am sure there are quite a number that are probably, whilst deserving, perhaps far less so in the great scheme of things than a group like Neighbourhood Watch, which really is a very important crime detection and indeed crime prevention program. If it operates properly, it really does have the effect of deterring criminals. If it operates properly, criminals actually will be fingered. It is the eyes and ears of the community. Indeed, that assists the police in actually catching them.

Neighbourhood Watch does not need much money. Back in, I think it was, December 2000 they were going through a bit of a crisis. I can recall they got some money from the then government through community services. I think one of my last acts as community

services minister, before Mr Moore got it, was to make sure they got, I think it was, \$15,000. It might have been \$20,000. I just pestered him for a month to make sure he then actually honoured that commitment, which he did.

I was concerned last year to see Neighbourhood Watch again in desperate financial straits. They are sponsored. I think Mr Bob Newham and his organisation, which is a security organisation, a locksmiths organisation—a very appropriate one—are very generously sponsoring them. I think that amounts to about \$20,000 a year for a number of years. I would urge the government, on the question of finances, to ensure that this organisation is supported. You do not need a huge amount of money, and something around \$20,000 a year would make a huge difference; it would really assist them. In terms of where it should come from: as I said earlier, I recall we did it once to assist, out of the community services funds.

There is another area, I would suggest, which really fits in here very well, and that is the crime prevention programs. They started, I think as specific programs, back in about 2000-2001. I think the government a couple of years ago set aside \$1.1 million. They did not spend it all because the programs simply were not there. A lot of them are not developed by police. I recall Ms Dundas actually last year bemoaning the fact that, for the last financial year, which I think was 2003-2004, only \$450,000 out of the \$1.4 million—it might have been \$1.1 million—was spent. I think they might have put too much in the program, but only about \$450,000 out of that \$1.1 million had actually been spent at the end of the financial year. That seemed to be a bit of a perennial problem.

Take \$20,000 or \$25,000 out of the crime prevention program fund. I would strongly suggest to the government that that is an ideal area. I am assuming they are not going to cut that fund. Certainly it is a fund you would never actually completely manage to use. I must say the previous government did not. I think when Mr Humphries and I announced it that first year there still were not enough programs. It has always had a bit of money left over at the end of the financial year. Quite clearly there is capacity in that fund to fund Neighbourhood Watch on a permanent basis and overcome these hiccups, humps and dramas we have had a couple of times now where they look like folding because they simply cannot get \$20,000 to keep them going. We are not always going to have Tattersall's, the NRMA or the Bob Newhams of this world to necessarily come to the party and bail them out. And they are such an important organisation. I really stress that to the government.

As I said, I have been to quite a few meetings. I recall making a point of going to all the Belconnen Neighbourhood Watches when I was a minister in the previous government. Apart from the normal crime prevention stuff that they do, they were also very handy in terms of just being the eyes and ears of the community on things like the rates, roads and rubbish issues, the potholes. By attending there, I was made aware of a number of problems, which I arranged with Urban Services, through their minister, to actually fix up. So there are a number of roles they can play. I certainly encourage members to go to Neighbourhood Watch meetings because you will learn a lot more than just crime in the particular area.

Another concern I have had over the years, but specifically now in recent times, is the fact that the police often do not attend—certainly do not attend regularly but in some

instances do not attend at all. It has always been a bit of a problem but, when you go back probably a decade or so, often at every meeting there was a police officer. That was cut back to probably once every two meetings or so. But now it seems that it is pretty rare to actually find any sort of regular police attendance at all. That does tend to dispirit the Neighbourhood Watch people.

I am not at all casting any blame there necessarily on the police. We all know the police are understaffed. We all know the police are underresourced. I am not going to berate the minister too much about this at this particular time. But I certainly hope that, even with a tight budget, this most important area of government, the policing of the ACT, is attended to and we see more police operating in the ACT so that not only can that assist their general operations but will assist, in a spin-off way, to have more police available to go and assist at the Neighbourhood Watch meetings.

After all, the first duty of any government is the security of their citizens. For a state or territory government, that means a strong and well-supported police force with sufficient numbers to actually do its job. So, I will leave that there. But I would certainly hope the minister is in there batting, and I would certainly hope we see some improvement in this budget in terms of policing the ACT. We all know we are under strength. We all know we are miles below the national average and, obviously, if steps are taken to improve that, that will have a spin-off effect in terms of Neighbourhood Watch.

I have seen instances over my years in Canberra where people in Neighbourhood Watch have actually managed to have crimes prevented by timely reporting to police. I have seen instances where an alert member of Neighbourhood Watch and an alert member of the community called the police and the police attended and nabbed the perpetrators actually in the act. Areas that have strong a Neighbourhood Watch often have significantly less crime. And this was certainly so when the organisation started in the territory and records were kept, which indicated there was a very significant drop in the first few years. For a number of reasons, that probably is not quite the same now.

I think, if you look through the stats, where you see a strong Neighbourhood Watch you will see a lot fewer incidents of the crime that concerns people in our community the most and that affects people in our community, such as people flogging cars; breaking into homes; vandalism; the more petty thefts; sadly, some assaults, too, in neighbourhoods. Those sorts of crimes, which you see in the Neighbourhood Watch reports, are the ones that really directly impact on people in the suburbs and are the ones where a good, strong Neighbourhood Watch can be a real deterrent and can provide a real crime prevention service.

So it is always good to see a new Neighbourhood Watch set up. I certainly commend the good burghers of Isaacs for setting up this Neighbourhood Watch. It is good to see local businesses get involved. I think, in the ones I have seen in Belconnen, there are always a couple of businesses that sponsor the newsletter and that assist, even in a small way—it all helps—to keep these organisations going. Well done to Karen Rush Real Estate for getting involved in Neighbourhood Watch.

I certainly commend my remarks to the minister for police especially. I would also encourage businesses to actually get behind Neighbourhood Watch. You do not need to do a huge amount, but if you help sponsor a newsletter in your particular area you are

helping quite significantly in fighting crime; you are being a good citizen; and it certainly means a lot to individual Neighbourhood Watch organisations.

I will close by thanking everyone involved in Neighbourhood Watch in the territory. They do a sterling job; they are very deserving of our support. They do need to be put on a more secure financial basis. I think I have indicated quite clearly how that should occur. Again, my congratulations to everyone involved in Neighbourhood Watch, the police who actually service them and the people in the community who respond to the newsletters and who become, effectively, the eyes and ears of the community.

MR HARGREAVES (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (4.45): The government will be supporting the motion from Mr Mulcahy. I must say at first pass I thought this motion was probably more appropriately delivered in the context of an adjournment debate because we generally raise individual things like that in the context of an adjournment debate. But I think it is a good call actually to pick out a Neighbourhood Watch system in a suburb that is working and hold it up as a model. I think that is quite worthy of praise.

Mrs Burke raised a point which I think is well worth raising in the public arena—and certainly I will be raising it in my discussions with the Chief Police Officer—with respect to Neighbourhood Watch, and that is the demographics of the actual committees themselves. She is quite right when she says that most committees in fact that exist in Canberra do not have too many young people on them. And interestingly, young people are the people who are often at home at that time of day when people are about doing home invasions. They will have a crack between 3 o'clock and 6 o'clock, for example. And a lot of people are just returning home. In fact, if we can get the young people, say, in their later years of high school, who are returning home, to be involved in this sort of thing, then, of course, they will be alert to odd things happening in their neighbourhood and will be able to appropriately act on that.

I think Mr Pratt and Mr Mulcahy both alluded to one of the problems that we have been facing with Neighbourhood Watch, when both Mr Stefaniak and Mr Wood were police minister—and now I face it—and that is the sustainability of the committees themselves. What happens, of course, we know, is that a community will come together—a new one or one which has sort of copped a bit. In the case of Isaacs, that was the imperative, a need to get a bit of revitalisation. In Gungahlin, it is because the suburbs are new.

People come together and they will be, if you like, enthused by a couple of people who have got a little bit more energy than most people in the area. And the good thing that comes out of that is the creation of a Neighbourhood Watch committee. You will find that it is two or three people, as is the case with almost every committee that I have ever been associated with. I am sure those opposite will appreciate this. Usually the same 50 people in the community are on all of the committees. These people will go and do extraordinary hours and will create all the structures.

We have got to remember that—I do not know what you call it; I suppose “demographics of this town”—we tend to move. I think we have something like three or four moves in our time in Canberra. I know that I came to Canberra and lived in Garran; I went to O'Connor; I went to Belconnen for 10 years; then I went back to O'Connor; then to

Belconnen again; to Farrer; to Gowrie; and now I am at Wanniasa. If I had been a member of a Neighbourhood Watch committee I would have moved out of that. If I had been an energetic member, then that is the problem that we face. I do not know the answer to that. I think we need a community response to that. It is something that we do recognise.

Mr Speaker, one of the things Mr Mulcahy raises, of course, is the importance of the community in partnership with the police to make sure that our community is looked after. The very essence of intelligence-led policing, intelligence-driven policing, is, in fact, that partnership with the police. Whether or not the Crime Stoppers line is going to work depends on the community using it. Neighbourhood Watch, in fact, is one of those examples of how the community can work in partnership. And we have the results.

You might recall, in fact, recently, Mr Speaker, seven people were pinched for doing burnouts. What happened was that people thought the police were not doing anything. In fact, they were collecting the information. As I have said to Mr Pratt numerous times in correspondence, encourage people to call Crime Stoppers because they are adding to a body of evidence and then a pattern emerges and the police strike. When it came to these particular burnouts and the police struck, there were seven vehicles impounded. I thought that was a fairly good result.

We also note, in the context of the Stuart flats, exactly the same sort of thing. There was stolen property recovered. The people who were there were rather anti-social. They were pinged by people who rang Crime Stoppers. It is that sort of thing Neighbourhood Watch can assist in.

Mr Stefaniak talked about having a dozen Neighbourhood Watch committees. My information is there are 62 of them. Sixty-two of any sort of committee requires an awful lot of resources to actually visit every time. But I do take his point. In fact, we have the attendance of ACT Policing. A Neighbourhood Watch liaison officer talks with executive members at conferences on Neighbourhood Watch programs, making sure that the ACT community is aware of the latest trends and practices around Australia. It is nothing unique; crime is not unique to the ACT. The AFP/ANU policing in the 21st century project focusing on the local Neighbourhood Watch program will add academic expertise to initiative, strengthening the local scheme, we hope.

Of course we all know that Neighbourhood Watch forms part of the key performance indicators of the ACT government's property crime reduction strategy for 2004-07. Given the size and number of the groups, though, to improve communications, ACT Policing, in conjunction with Neighbourhood Watch, hold monthly mega meetings. I do not know if members are aware of this. These mega meetings provide an opportunity for a large group of Neighbourhood Watch members, drawn from a number of groups, to attend a mega meeting for information gathering and ideas exchange that will help in the enhancement of community safety. The next mega meeting is on tomorrow at the ANU and is hosted by ACT Policing crime prevention. At this stage, there are 50 participants who have indicated their attendance and there will be presentations from several keynote speakers.

Improving communication between Neighbourhood Watch and ACT Policing has been a high priority in enhancing the effectiveness of the neighbourhood safety. I do not think

that just pinching criminals is the way to go; we need to have a prevention strategy in place. One prevention strategy we can have is this: if crims are going to wander around the suburbs thinking they can break into any place, I would like to think that they would think twice about it because we have an effective community prevention response.

To that end, we have some initiatives for this coming year. There is a partnership events calendar, which includes information nights and training days. Neighbourhood Watch members will join crime prevention officers to attend community events such as barbecues, family and fun days. Of course they were at the Canberra Show. Those who visited the stall at the Canberra Show will know what I am talking about.

The achievements will include, but are not limited to, of course, the provision of information on safety and crime prevention for the elderly—the CLASP program that has been spoken about a lot. The elderly live in their communities, we hope. As part as the Neighbourhood Watch response, they should be in touch with these people.

As Minister for Police and Emergency Services, I commend and congratulate the Isaacs Neighbourhood Watch committee for the quality of the service that they have provided to the community. It is, as I said when I first started, a bit unusual to actually single out people and name them in the context of a motion, but I am quite happy to see that in this instance because what we need to do is reinvigorate the whole community in the ACT. Holding up, as it were, community heroes, which is what these people definitely are, as an example will actually throw the challenge out to other parts of our community and say, “Well, if they can do it, you can do it.”

I know that in the Tuggeranong areas—and Mr Smyth knows too well—we have a reasonably low level of crime in all categories, compared with other parts of town. That is due to a whole range and raft of reasons, and I will not go into that raft and range of reasons. Suffice it to say, though, that a fairly vibrant Neighbourhood Watch system contributes to that.

I again congratulate those people named by Mr Mulcahy in the motion and extend my congratulations, as minister for police, to them. I think we ought to all join in those congratulations.

MR SESELJA (Molonglo) (5.54): I rise—and I am conscious of the time—to briefly speak in support of this motion. I would like to commend Mr Mulcahy for bringing this forward. I note his very strong interest not just in all the people of Molonglo but also in that area of Woden where he has such a strong presence. I would like to commend him for bringing that forward.

Isaacs Neighbourhood Watch, like other Neighbourhood Watch organisations in the ACT and other community groups in the ACT, make an invaluable contribution to our community. It goes without saying that personal safety is of paramount importance to everyone. Neighbourhood Watch, I believe, plays a very important role in that.

It is unfortunate that we have some significant issues around police numbers at the moment. There is a lot of concern in the community about the lack of police numbers. I know that, in my electorate, particularly out in places like Gungahlin where there is not a full-time police presence, there is a particular concern. I was speaking to people at the

Gungahlin Youth Centre on Friday and they expressed a lot of concern to me about personal safety, about street lighting and things. Without going too much into that, I think Neighbourhood Watch feeds into that.

Neighbourhood Watch is always important. Neighbourhood Watch has been around for a long time. But I think, with the current inadequate police numbers around the place, particularly the inadequate police presence in Gungahlin at the moment, Neighbourhood Watch becomes even more important for giving residents that sense of wellbeing. So I would very much like to support the motion.

I agree with Mr Hargreaves that it is good for these sorts of things to be brought forward in the context of a formal motion. I have a recollection of Neighbourhood Watch as a youngster back in—this will show my age—the 1980s. I do not know if the rest of you guys were youngsters in the 80s but I was, and I remember—

Mr Hargreaves: I was 16, Zed.

MR SESELJA: Yes, I am sure you were. I remember Neighbourhood Watch coming around to our place and it gave my family and our street a real sense of wellbeing, knowing that people were watching out for each other.

Being conscious of the time, I would just like to express my support for the motion, commend Mr Mulcahy again for bringing it forward and commend all those members of the Neighbourhood Watch group in Isaacs who have been named in the motion.

MR MULCAHY (Molonglo) (5.57), in reply: Mr Speaker, in conclusion: I would like to thank members on both sides of the house for their support for this motion. I think it is important that people who give up their time get recognition. I know it is a little unusual to name them but, as Mr Hargreaves has recognised, when people go to this length to give up their time—and they are such an energetic group—it might send a message to others in Canberra that maybe they need to step out of their own home and think about their neighbourhood and lend that measure of support.

I think there is quite a deal that we can do to support the work of Neighbourhood Watch. While some may at times think it is a very parish pump type issue, I have pursued the matter of footpaths and lighting in many of the inner suburban areas of Canberra. It is an issue not just with our older citizens but also with many younger people who have expressed concern. I am continuing to receive representations on this issue, particularly in relation to safety issues at night in areas such as Manuka, and that is something on which I will be saying something more in the near future. We need to ensure that in all of our suburban areas, both residential and areas where people go out for entertainment in the evening, they can do so without fear of personal injury.

Finally, in conclusion, Mr Speaker, one area that we ought to be looking at too is whether we complement the work of the Federal Police and the Neighbourhood Watch and whether or not the Australian Protective Service might have an additional role. The neighbourhood I happen to live in has a very heavy presence of the Australian Protective Service for dealing with diplomatic representatives, and I think that they are a resource that could be brought to assist in a limited way at the very least, without distracting from their main role, in the important work of combating crime in some of our

neighbourhoods. I think if those resources are being applied by the Australian government they ought to think about whether they could provide at least a watching brief in relation to crime that impacts on neighbourhoods where they are focused.

Mr Speaker, I commend this motion to the Assembly and thank all members for their support for this motion.

Motion agreed to.

Adjournment

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

That the Assembly do now adjourn.

Disability services

MRS BURKE (Molonglo) (6.00): I wish to continue with and conclude a speech that I started a couple of days ago in this place in reference to implementation of the government response to the recommendations of the report of the board of inquiry into disability services. The high turnover of staff in the sector continues to be a cause for alarm and concern. I am wondering what the minister is doing to address this problem. The inconsistency and levels of care can only be detrimental to the consumers. Of course, it must be said that all must be done to elevate the role of carers and workers on the front line in the disability sector to ensure that potential workers are not dissuaded from working in that sector.

Training was originally highlighted in the Gallop report and continues to be cited by the many parents and consumers of disability services who call my office to voice their ongoing concerns. I note, on a positive note, that an ongoing training calendar has been developed and I really would appreciate the minister's update on that and I wonder what the status of that is at this time.

I further note that Disability ACT is negotiating or has negotiated with an RTO, a registered training organisation, to deliver the certificate IV course in disability work. The government has made mention of this course due to start in 2005. Again, I am a little unsure as to whether that has happened yet, but, given that we are well into the year now, I would expect and hope that that course has started. I would be pleased to hear how the training is working out for the participants and for the consumers.

I was pleased to note that an access audit has now been completed. It is important to know how we measure up and where we need to do better. On the government's own admission, it does need to do better; we need to fill the gaps. It is pleasing to note the trial of a disability phone line and I would like to know how this is assisting in referring people to appropriate services.

On the matter of individual support or service packages, ISPs, the feedback I am receiving is that it could be costing the territory far more than pre Gallop and not necessarily delivering better customer service outcomes. Whilst we cannot put a price on human life, if we can use money more wisely we perhaps need to revisit this model of

group homes, for example, as a viable option in the light of enhanced services to allow people to remain in group homes under the services offered by the individual support services team. However, I note from recent consultations with the sector that there seem to be some problems there. In one case, which I will not go into now, we are paying three or four times the amount that we were to support one young person pre Gallop. So I think there are certainly some issues there. I realise that the disability sector has some concerns with the group house model, but I believe that, if we get the support right, it can still work. At least let us not totally shelve it as an option for some people.

I wish to congratulate the government on the joint project mentioned on page 13 of the fourth report of the ACT government and federal government working together, and I look forward to hearing a positive outcome on that one. Community and employment participation are huge issues for the disability sector, and we need to continue to be innovative in our thinking to find as many ways as possible to engage people with a disability in a true and meaningful way.

There are one or two other areas within the sector that continue to concern me and are worth noting. I will, of course, continue to monitor the government's handling of these areas, not the least of which being services to children with autism. The recent shelving—or deferring, should I say—of the diploma course in Auslan at the CIT, as Mr Arthur Baker from Braidwood stated in his letter to the *Canberra Times* on 22 February 2005, is unfortunate. I do, however, realise that the minister is looking into that matter and I hope that she will be making a statement about that course and what is happening to it in due time.

So, by the government's own admission, there is still much to be done and a long way to go. I hope that the government will not hide behind this as an excuse for inaction and a lack of energy, enthusiasm and commitment to really improve the lives of people with a disability. As I did with the previous minister, I extend the offer of working with the current minister because I just do not think we can stand here having debate after debate, trying to score cheap political points. I am about helping the sector that, particularly in parts, is in crisis. I extend the hand of friendship, if you like, to the minister and say: please work with me so that we can really get some good results for the people who care most, the disability sector.

Arts facilities

MR MULCAHY (Molonglo) (6.04): I want to take this opportunity to report to the Assembly on some of the arts centres I had the opportunity to visit last week in Canberra. The facilities included the Tuggeranong Arts Centre in Tuggeranong, Megalo Access Arts Inc up at Watson and the ANU School of Art at Acton. I must say that the facilities in Canberra that we have for the arts continue to amaze me in a very positive sort of fashion. I have been quite overwhelmed by the outstanding and impressive array of exhibitions, courses, programs and general services available to the people of Canberra and the wider public.

My understanding and awareness of the arts community in Canberra has increased considerably since stepping into the new role as opposition spokesman on the arts. You think you know about your city. I have lived here for a fair period of time and was involved with the arts community when I lived here back in the seventies, but it has still

come to amaze me, as we have started to engage in dialogue with so many groups, how many organisations there are in Canberra, how many active groups of people in our community are participating in some area of the arts.

I know a number of members here receive invitations to events. When you go out and explore how many groups there are, it is quite staggering. It is a great credit to the ACT and the people of Canberra that they embrace the arts so vigorously. We hear of Melbourne being called the arts capital of Australia, but I think that if you applied some of the statistics Canberra could well uptake that claim.

In particular, I had the opportunity to formally visit the Tuggeranong Arts Centre, although I had been there previously for an exhibition called *Malta 24/7*, which was a fantastic photographic exhibition. The centre supports a vibrant range of community and professional arts activities. As most members may be aware, it was opened in 1998 and is the only purpose-built multidisciplinary arts centre in the ACT. The centre is home to a small gallery, a 110-seat theatre, a small dance studio—which has had incredible support from young people in that area—a group art studio, three individual studios, a small gallery and a very successful cafe that attracts many patrons from that area over the weekend.

The centre has also developed a strong community cultural development focus and supports a range of multicultural, indigenous and disadvantaged arts activities. Its messenger program, on which I was briefed, is doing a great deal for young people in Canberra who are potentially at risk. The staff are to be commended for the work they are doing there. They are also forging links with the diplomatic community, who are starting to use their facilities and moving away from the traditional locations in the centre of Canberra. The centre is particularly proud of its dynamic youth programs and the role that these programs have played in developing the skills, outlook and cultural awareness of young people in Canberra, particularly in the Tuggeranong region and even beyond.

The second organisation that was visited last week was Megalo Access Arts, located on Phillip Avenue in Watson. This is an open-access printmaking organisation that provides artists, students and the general community with access to specialised printmaking facilities. It conducts a program of activities that include access to equipment and expertise, artist in residency opportunities and commissioned printing and other services. Indeed, the exhibition running at Megalo during my visit was work resulting from its 2004 printmaker in residence program. It was entitled *Structure*, and the artist was Joanne Robinson. She examined the personal experiences of her own home and reinterpreted this into structures of buildings and textures by creating two-dimensional structures through digital processes and print.

The final visit was to the ANU School of Art, which is in the faculty of arts. The School of Art is under the leadership of Professor David Williams at ANU. I would commend to members that they take time in their lives to visit the extraordinary facilities there and the work going on. I had no idea of the dimension of what was being done in the School of Art in Canberra. I had an opportunity to go through all the different areas—ceramics, glass, goldsmithing and silversmithing, painting, photo media, print media and drawing, sculpture, textiles and wood and art theory. To see so many young people from Canberra working on those skills, and sometimes engaging in some of the

traditional arts such as constructing furniture in a way that rarely happens these days, I thought was very enlightening. To see this within a very short distance of the Assembly was a tremendous experience, and I commend both the teaching staff and the university for the level of those facilities.

These three insights into some of the arts facilities we have in Canberra underline the widespread support from and the tremendous application of those involved in the arts in Canberra, and it is certainly an aspect of my work that I find particularly rewarding.

Namadgi National Park

DR FOSKEY (Molonglo) (6.09): I am rising to report on a visit I made last weekend to Namadgi National Park and to commend the managers of Namadgi. The nicest thing about being an elected representative in the ACT Assembly is that I no longer go anywhere in the ACT without that in my mind. So here I have a number of observations that I am sure that other members will be vitally interested in, because they concern a part of our beloved territory.

First of all, I want to commend the managers for their new interpretation materials. In particular, I want to mention the new map that has been produced, which details a large number of walks. It gives the information that anybody needs before undertaking one: how long it will take, how many kilometres are involved, whether it is steep and whether a car needs to be posted somewhere down the track for people to get to.

I most particularly want to mention the new lookout. Apparently, the old one was burnt in the fires. The new lookout is—I believe, because I do not think I ever explored the old one—far superior, being broad, going out over the valley so that you have this sense of actually looking out. It is positioned so that you can see the whole line of the Brindabellas. Each of the mountains is named and there is a very wide-angled lens photograph that you can look at and identify exactly the features that you are looking at. I think that is really important; people need to be able to place themselves in their environment. Apparently, that too is far superior to the old interpretative device.

Namadji is a reminder that we live in a wonderful environment. I have a deep affection for that line of mountains, the Brindabellas, and in Namadji, of course, apart from natural heritage, one also finds plenty of evidence of our long-lived indigenous heritage. On our way to Namadji, we drove across the broad valley which, along with the road that we drove across it on, will be drowned if the Tennent dam is built on the lovely Gudgenby River. I must say this is a particularly beautiful valley. It is very broad and I guess that is partly what makes it so beautiful and also makes it so unsuitable for a dam, because it will take a very long time to get the kind of depth where evaporation does not take the water as fast as it fills.

Talking of catchment issues, the regeneration of Namadji provides a model for catchment management. Indeed, due to the quick thinking of some firefighters, in Namadji there is a reference area of five per cent which did not burn provides a kind of model of what all of our catchment could be like if we decided to look after it as catchment.

The reason I was there was that I was on a tour conducted by the Kosciusko Huts Association. This is yet another of those amazing volunteer groups that are connected by a passion, in this case to maintain the heritage huts of the high country. We did an eight-to 10-kilometre walk—they say it was eight; I say it was 20—of three huts, which were the Clearwater hut, the Westermans hut and Brayshaws hut. They are actually marked on that interpretation map and it is a walk that I would be very happy to take anyone on because I would happily do that walk again.

The Kosciusko Huts Association is a broad association of people from all over Australia, with voluntary labour. They do get some money from grants for materials, but they spend their weekends working on their passion and they are very healthy people.

I want to note, in conclusion, that these people also work in the Kosciusko National Park, which, of course, is contiguous with Namadji National Park—a reminder that the border is only a political one and that when people want to they can work with land managers on both sides of it. We need to remember, too, that water flows into the ACT from New South Wales and out again into it. We are a catchment for all on the Murrumbidgee, and Namadji plays its part in maintaining the water quality and quantity for everyone downstream.

Public servants

MR SMYTH (Brindabella—Leader of the Opposition) (6.14): I would like to enter the adjournment debate this afternoon with a couple of quotes from the Chief Minister. The Chief Minister yesterday in question time said, in talking about ACT public servants:

We will show them due respect. We will stand by them and we will support them.

These are the Chief Minister's words about ACT public servants: "We will show them due respect. We will stand by them and we will support them." What I want to do is compare that to what the Chief Minister said about public servants, and in particular senior public servants, today in question time. What he said was that he is going to amend the Public Sector Management Act as it is too inflexible and basically it does not allow him to sack senior public servants—i.e., in this case, Mr Tonkin. Let me read what he said:

I do propose some amendments to the Public Sector Management Act to deal with the existing incredibly inflexible executive appointment arrangements that currently apply under the Public Sector Management Act. They are inflexible to the point of being essentially incapable of allowing any reasonable management of the senior executive.

I think, folks, that that all reads as code for: I can't sack them when I don't like them. So, senior public servants, you should be warned, you should be afraid; you should be very afraid of what the Chief Minister intends to do.

It is interesting, because on the one hand in talking particularly about Mr Tonkin the Chief Minister praised him. In question time today he said:

Mr Tonkin is a very senior, very experienced and extremely good public servant ...

What is he? He is a very senior, very experienced and extremely good public servant—but he is not good enough to work with Jon Stanhope. So isn't it interesting that on the one hand he praises Mr Tonkin and yet on the other hand he simply wants to get rid of him. Why do you get rid of somebody—incompetence, inefficiency, impropriety, perhaps infirmity, ineffectiveness, ineptitude? Well, none of those is listed as one of Mr Tonkin's attributes. Let me read again the Chief Minister Jon Stanhope's own words: "Mr Tonkin is a very senior, very experienced and extremely good public servant." What did Mr Tonkin do wrong? Was Mr Stanhope afraid of the frank and fearless advice that he gave? Or was Mr Stanhope more afraid of the ACT labour council that wanted Carnell era appointees removed? Or is it because—in Mr Stanhope's own words from the radio the other morning—"We just don't see eye to eye with Mr Tonkin." In that interview he also mentioned that there happened to be many others that he did not see eye to eye with around him. So what is going to happen to the many others that he does not see eye to eye with in the public service?

The Chief Minister should be aware that you just cannot sack somebody because you cannot get on with them. It is called unfair dismissal—and that is something that I thought the Labor Party was very much against. But what the Chief Minister is saying today in his reforms of the Public Sector Management Act is: there is going to be one rule for the rest of you and one rule for me, the Chief Minister. I think what we are seeing is more viceregal pretension growing here.

Now we know that the Chief Minister was unable to sack Mr Tonkin because, as he said, he is a very senior, very experienced and extremely good public servant. So he obviously did not do anything wrong. That is why the Chief Minister concocted the office of the special adviser to park him in. And that is why taxpayers have forked out \$309,000 per annum to simply park Mr Tonkin—because the Chief Minister cannot get on with another individual. He had no reason to sack him, so he parked him.

You have to ask: what is the process if there is somebody that you cannot work with or who has problems? There must be some process. There must be counselling. There must be warnings. But obviously that never happened, because the Chief Minister has not followed that route. If the Chief Minister had any guts, he would stop the charade of saying that Mr Tonkin is on secondment. He is not on secondment. Secondment is predicated on returning to one's substantive position. As a former union official said to me the other day, she was outraged when she heard that Mr Tonkin was on secondment, because secondment means you are coming back; you have got a substantive position and you have only gone for a period of time. As she went on to say, it is a fundamental tenet of our IR system and public sector management. We know he is not coming back, even though he has a position to come back to and his position number is C25. He can come back to that.

Let me finish with another quote from the Chief Minister yesterday, when he attacked us here in the opposition, the Liberal Party. He said: "This Liberal opposition—

MR SPEAKER: The member's time has expired.

Mrs Vicki Dunne

MS PORTER (Ginninderra) (6.19): I rise to express my disappointment that Mrs Dunne has used a time when this place was joining together to recognise and celebrate women's achievements to attempt to attack the reputation of two women. She said that she thinks I have double standards and that she believes I deal differently with my male children and my female children. I presume she would include in that that I deal differently with my two stepchildren and my eight grandchildren.

I am not sure how Mrs Dunne actually knows how I relate to my children and how I support them and nurture them in terms of their behaviour. I am disappointed that Mrs Dunne feels that I accept unacceptable behaviour. As I said, I have three children, one daughter and two sons, the older of whom was recently a peacekeeper in the Solomons. I have two stepchildren, one male, one female, and I have eight grandchildren, five male, three female. Mrs Dunne, no doubt you are as proud of your children as I am of mine. As I said, I do not accept unacceptable behaviour from any person, whether man or woman. I am not sure who these specific people are that behave in such a way towards me that I allow it. I neither accept nor condone this behaviour. May I also mention at this point that I am very proud to be a woman both in and supported by the Stanhope Labor government.

I am shocked to hear Mrs Dunne make assertions in relation to the student she responded to in an abusive way at the ANU. She said earlier that the student was drunk and swearing at her, if I am correct in what I heard Mrs Dunne say. This is not my recollection of the circumstances, Mrs Dunne, nor of the chain of events. I believe the student's reputation has been called into question by your assertions. Might I remind you, Mrs Dunne, that both of us were there as invited guests, privileged persons in powerful positions, on the evening. I believe it was appropriate to behave as responsible adults. She claims men in other places behave in such a way and use four-letter words and indeed I am aware of the world in which I live. This still does not mean, Mrs Dunne, that we should accept this behaviour. I repeat: I do not.

Surely, Mrs Dunne, you and all the members of this Assembly, men and women, should model behaviour that we can be proud of, both inside and outside this place. We hold privileged positions in the community. The community expects—demands even—that we exhibit adult behaviour in our public and private lives.

Gungahlin—services

MR SESELJA (Molonglo) (6.22): Last week I attended a meeting with the young mothers group out at the Gungahlin Youth Centre, which I think is named the Gungahlin young parents playgroup. I was very grateful for the opportunity to go out there and have a chat with them. The staff at the youth centre were fantastic in receiving me and it was wonderful to hear from a number of young mothers in the area. They meet regularly on a Friday morning. Their children have a playgroup and they get to relax and talk to other young mothers. It is a fantastic support for them. The idea of the exercise was to get a bit of feedback on some of the issues as they see them out in Gungahlin and particularly from the perspective of young single mothers—not all of them are young single mothers but most are, I think—and just to see where they are coming from.

I understand that governments cannot do everything but I would like to put on the record some of the concerns that were raised with me, especially for the relevant ministers to look at and to see where they can improve services in the area. One of the issues is access to government shopfronts and Canberra Connect in Gungahlin. Buses are an issue. I note there has been some improvement in recent times of buses going to the city on weekdays, but still on weekends I think more needs to be done. There is also the issue that buses are more frequent to the city than to Belconnen. Whilst this is appropriate at peak times, I have spoken to a lot of people out in Gungahlin and it seems that during the day, during the non-peak times, Belconnen is more the place they want to go.

Broadband access continues to be an issue in Gungahlin. I know Telstra is working hard to get broadband to as many people as possible but, unfortunately, a lot of people still cannot access it, and it is a significant issue. In fact, the youth centre itself has been trying to get broadband for some time and is unable to. With dial-up being very slow, it is very frustrating for them. I think broadband will continue to be an issue and it would be great to see the ACT government take a bit of a proactive role and try and promote initiatives and promote alternative providers to Telstra.

Another significant issue is the reduction of parking facilities outside the youth centre. I understand there is going to be some construction work undertaken there and I think all the parks right out the front will go. That is a real concern, in particular for disabled access, and so I just draw the attention of the house to that. There are several other points but the only other one I want to talk a bit about is the reduction in the size of the youth centre. I note that the fence has been moved and there is not much outside play area any more. A lot of people have commented on the restrictiveness of that.

I want to briefly touch on another issue. For question time today I gave the Minister for Planning adequate notice of fairly straightforward questions. Unfortunately, all we were able to get back from Mr Corbell was things that are on the public record. I asked specific questions about the exact amount of the successful tender for section 87. I asked specifically what was the highest bid and I asked specifically about the terms and conditions of payment for the successful tenderer. All I was able to get was that it was in the vicinity of \$7 million. I think it is unfortunate, given that I took the time to give the minister notice of the questions, that he could not have given a much more adequate response so that we could take it away from question time. I find that very disappointing. Hopefully, next time, when those sorts of circumstances arise, the minister and his office will be more helpful and more forthcoming with information. I certainly hope we will see a little more transparency from the Minister for Planning on these issues in the future.

Canberra Hospital

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (6.26): I would like to relay to members the experience of a constituent at the Canberra Hospital. This person has written to me and I would like to quote the letter in some part:

I am writing to you as a constituent that had the experience of accessing the Emergency Department at the Canberra Hospital. My six year old son had fallen off the monkey bars at his school today and had to be taken to the Hospital to check if

his arm was broken. After arriving at the emergency department, we were seen by the Triage nurse straight away. The triage nurse felt there was a need to wait to see a doctor and asked my son and I to wait in the waiting area. After approx. 20 minutes the doctor called our name and took us straight to the x-ray chairs to assess my sons arm.

The doctor assessed the arm and recommended an x-ray. We were then asked to wait where we were for the radiographer to take the x-ray.

The radiographer apologised to us for having to wait so long, mind you we were only waiting 20 mins which was such a short time.

I have never in my life had such a **wonderful** experience at The Canberra Hospital. The Nurse that dressed my sons fractured arm also gave him a toy for being such a brave little boy, which of course was just an extra nice thing to do.

After the horrible things the opposition has to say about the state of the health system and in particular The Canberra Hospital, I would like to say that I have been a frequent visitor to the Emergency Department at The Canberra Hospital with my eldest son since his birth and this was by far the best experience I have had.

I would like to pass on my thanks to the staff of the emergency department for what was obviously a very well-handled case and I would like to commend the views of this constituent to the Assembly.

Question resolved in the affirmative.

The Assembly adjourned at 6.28 pm.