



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

5 MAY

2005

Thursday, 5 May 2005

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Thursday, 5 May 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.

Standing order 118A
Statement by Speaker

MR SPEAKER: Members, just after question time yesterday, Mrs Dunne raised an issue in relation to standing order 118A. At this point, I am in the process of considering *Hansard* and the standing order in question, and I will be making an announcement some time before question time today.

Mrs Dunne: Mr Speaker, I was going to ask you to revisit that matter, so I appreciate your statement that you are doing so. In your consideration of that matter, I refer you to *Hansard* of the Senate—

MR SPEAKER: Mrs Dunne, why do you not wait until you hear from me and then you will have a chance to raise it? If you do not have a point of order to raise at this point, I suggest we just press on with business.

Utilities (Shortage of Essential Services) Amendment Bill 2005

Mr Stanhope, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (10.32): I move:

That this bill be agreed to in principle.

Several government and intergovernmental initiatives have been undertaken to improve and secure the provision of electricity, gas and water services to ACT residents. My government has been working to protect and enhance these essential services. Without secure sources of electricity, gas and water and the ability to deal with situations where these supplies are scarce or disrupted, Canberra could not maintain its excellent standards of living.

The Utilities (Shortage of Essential Services) Amendment Bill is an example of the government's responsible approach and our prudent planning on behalf of the people of Canberra. Shortages of electricity, gas or water may be caused by demand due to extreme or unseasonable weather, or incidents such as bushfires, severe storms or critical malfunctions in energy supply infrastructure, and the consequences of these shortages could be significant.

This bill creates a robust legislative framework to allow restrictions on the use of utility services in cases where supply is or could become insufficient. The new legislation also

allows gas and electricity restrictions to be implemented in the territory in situations where the ACT is obliged, under national energy law or intergovernmental agreements, to reduce its total consumption to minimise system-wide impacts and damage. The ability of government to deal with such incidences is critical if we are to reduce potential damage to infrastructure and minimise the risk of random or prolonged interruptions of supply.

With the increasing interconnectivity of the energy supply and transmission systems across Australia, the security and reliability of essential services can no longer be considered an issue for individual states or territories. An incident occurring at one end of a network could cause direct or ripple effects at the other end. At the same time, the potential economic, social and infrastructure damage caused by supply emergency in one jurisdiction can now be minimised by assistance from other jurisdictions. States and territories are able to share the available supply equitably and appropriately.

This cooperative approach has already been adopted in the national electricity law to deal with emergency situations. It has been foreshadowed that the national gas emergency protocol, which is currently under development, will use the same approach. Under the proposed ACT framework, administrative and technical details for the restrictions are prescribed in regulations and schemes made under the Utilities Act 2000. The existing electricity, gas and water restrictions regulations and schemes will be incorporated under the same framework to ensure consistency in their administrative arrangements.

The development of this bill has been undertaken outside the existing work regarding the Utilities Act 2000 review. This is due to recognition of the lack of current legislation in a situation preceding a crisis and the urgency in ensuring that appropriate procedures are in place to manage a situation that may require this legislation. This framework will provide for the approval of schemes that impose a range of restrictions on consumption of utility supplies by commercial and residential users. The restrictions and measures will vary according to the severity of the shortage and the time frame in which reductions in use must be achieved.

Utility distribution service providers—namely, ActewAGL for gas and electricity and Actew for water—will have responsibility for implementing and enforcing the restriction measures when a declaration of shortage of supply is in force. Powers will be granted to an authorised person of the utility to enter and inspect premises, other than parts used for residential purposes, if the authorised person believes, on reasonable grounds, that an essential utility supply is being used in contravention of a restriction measure.

A list of exemptions to restrictions will be included to ensure that identified classes of essential users and at-risk community members, such as people on life-support machines, the elderly, and pregnant women experiencing complications, are protected from adverse impacts as far as possible. Provision will also be made for applications by other individuals for exemptions based on their particular circumstances. Critical government services and infrastructure, including the police, are authorised to obtain exemptions under these provisions.

The bill does not replace the provisions of the Emergencies Act 2004. Should a state of emergency be declared, the emergency controller's directions will take precedence over any conflicting measures imposed under this bill. This legislation ensures the long-term

interests of ACT residential and commercial consumers by protecting the infrastructure and systems that deliver essential service supplies. I therefore commend the Utilities (Shortage of Essential Services) Amendment Bill to the Assembly.

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

Water Resources Amendment Bill 2005

Mr Stanhope, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (10.37): I move:

That this bill be agreed to in principle.

This bill is part of a series of steps to enable the current inefficient administration system present under the Water Resources Act 1998 to be transformed into a system that takes into consideration community values of the water resources.

Currently, when people seek access to surface water or ground water, their applications are processed on a first come, first served basis, with minimal consideration of the proposed use of the water. If all the water available for abstraction has been accessed, new applications are likely to be refused. This holds true even if the new application is for a beneficial community purpose such as watering of public gardens or public-accessed school ovals. A more efficient and equitable system would consider principles allowing water to be used for its highest good.

The bill will enable the current system to be halted through implementation of a moratorium on new water access decisions while consultation is undertaken to develop a new administration scheme. It is anticipated that the moratorium will need to be held for approximately a year to allow for the consultation process and the implementation of changes.

The government recognises the value of ensuring comprehensive and timely investigation into water resource management and has undertaken a number of scientific studies so that administration of our water resources is based on up-to-date advice. But administration of our resources is not just about the environment. We need to consider the social and economic considerations of sustainable management.

Development of an administration scheme that allows community values to be considered will allow the current first come, first served procedure to be superseded and, through consultation, allow social principles for water use identified. It will also address the inequities raised by many in the community when they see ground water being used by some residents to avoid water restrictions that the majority of people in Canberra have adopted with such concerted effort.

Efficient use of water is an essential component of the think water, act water strategy, and one that has been readily embraced. To date, over 2,000 government-subsidised water audits of residential and commercial premises have been undertaken, with another 3,000 applications under way. In addition, over 1,100 rebates have been given for installation of water-efficient devices such as AAA showerheads and rainwater tanks.

But think water, act water does not focus just on efficient use of potable water. It also details the other components of our water resources—surface water, ground water and reclaimed water—and indicates how these resources can be sustainably used. Our urban lakes and waterways are enormously valuable in aesthetic, recreational and ecological terms. In the face of growing demands to extract water, we need to protect these resources. It is important that non-potable water use is managed efficiently so that holistic management of the water resources of the ACT occurs.

A new administration scheme which takes into consideration proposed use of water and community values will enable more robust decision making to ensure the sustainable and efficient management of this precious resource. The ACT is committed to ensuring that the reforms of the national water initiative are implemented. This includes the national imperative to increase the productivity and efficiency of water use and the need to service our community and to ensure the health of river and ground water systems. A more equitable and robust administration scheme that takes into consideration beneficial community use will strengthen our commitment to this national initiative.

The bill also seeks to address technical flaws that impact on the ability of Actew to supply mains water. Essentially, Actew need to be able to abstract their allocated volume of water from either or both of the Cotter or Googong systems, depending on water quality and water levels in the reservoirs. This bill will allow such abstraction to happen.

The Assembly will maintain a role in the development of this scheme, as it will be implemented through reforms to the Water Resources Act. In this way, the current bill is the first but important step in developing the new administration system that will allow for sustainable and socially acceptable management of the ACT's water resources. I therefore commend the Water Resources Amendment Bill to the Assembly.

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

Papers

Mr Quinlan presented the following paper:

Appropriation Bill 2005-2006—Explanatory statement.

Revenue Legislation Amendment Bill 2005

Mr Quinlan, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (10.43): I move:

That this bill be agreed to in principle.

The Revenue Legislation Amendment Bill 2005 amends the Duties Act 1999, the Land Tax Act 2004, the Rates Act 2004 and the Payroll Tax Act 1987. The amendments to the Duties Act are to make it possible for people seeking an exemption from duty on the registration of a motor vehicle to apply for the exemption in the place where the registration is processed. Currently, these exemptions must be evidenced by a certificate obtained from the ACT Revenue Office prior to processing the registration at an ACT government shopfront or the motor registry.

Under this bill, the power to allow an exemption has been given to the Commissioner for ACT Revenue. The commissioner may then delegate this power so that the ACT government shopfront and the Road Transport Authority staff can process exemptions at the same time as registration, with no requirement for a certificate. These amendments will commence on 1 July 2005, and counter staff will undertake the processing of delegated exemptions as soon as software changes have been made and training provided.

There are amendments to the Land Tax Act and the Rates Act that are administrative in nature. They affect the provisions that set out how to calculate tax and how to calculate interest on a refund of land taxes and rates. The amendments in this bill remove the requirement for these amounts to be worked out by the commissioner. The calculation may be made by an officer, as it follows a purely mathematical formula. This is consistent with the working out of rates under the Rates Act and it has no impact on taxpayers.

The major amendments to this bill are to the Payroll Tax Act. These amendments are intended to secure the revenue through expanding the definition of wages to capture the value of employee share schemes. An employee share scheme is an arrangement by which a corporation issues shares or options to employees, and to directors or others who are not technically employees, of the corporation. Shares in listed or unlisted public companies, or in private companies, may be received in addition to salary as performance incentive offers, in lieu of salary and salary sacrifice offers, as part of remuneration as a trade-off against other benefits under an enterprise bargaining agreement or contract or under a loan plan which is often at low or no interest.

In the ACT, employee share schemes are currently not included as wages for the purposes of the Payroll Tax Act unless they are fringe benefits under the Fringe Benefits Tax Assessment Act. Division 13A of the Income Tax Assessment Act, a commonwealth act, specifically excludes shares or rights acquired under an employee share acquisition scheme as fringe benefits and they are therefore not subject to payroll tax in the ACT or to fringe benefits tax. As well as the employer paying neither payroll tax to the ACT nor fringe benefits tax to the commonwealth on the value of the shares, the employee acquiring the shares may receive generous income tax concessions on qualifying shares.

Shared endeavours: inquiry into employee share ownership in Australian enterprises, the Nelson report, released by the House of Representatives Standing Committee on Employment, Education and Workplace Relations on 9 October 2000, suggests that employee share ownership in the ACT was valued at between \$107 million and \$143 million in 2000. This is estimated to have increased by between \$2 million and \$3 million per year since then.

The commonwealth government actively promotes employee share schemes and, as a result of the Nelson report, has formed an employee share ownership development unit in the Department of Employment and Workplace Relations, with a stated target to increase the proportion of employees Australia-wide with shares in their company to 11 per cent by 2009.

With an expected increase in the use of these forms of remuneration, the ACT must, like New South Wales, Western Australia and the Northern Territory, legislate to bring the value of the grant of shares and options into the payroll tax net. We must act now to prevent further erosion of the payroll tax base. There is likely to be a minimal impact on the ACT business community. The major impact is expected to be on national employers who are subject to payroll tax across a number of jurisdictions.

This bill imposes payroll tax on employer contributions to employee share schemes, including the grant of share options, and any similar contributions to a director or a member of the governing body of a company, to a person to be appointed as such, and to a former director or member. The payroll tax amendments use the New South Wales legislation as a model and include changes necessary to overcome administrative and equity problems as introduced by the New South Wales variation to statute after consultation with the industry. I commend the Revenue Legislation Amendment Bill to the Assembly.

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

Gaming Machine Amendment Bill 2005 (No 2)

Mr Quinlan, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (10.49): I move:

That this bill be agreed to in principle.

As part of a range of initiatives announced in the 2005-06 budget, and to simplify the calculation and collection of gaming machine tax revenue, this bill proposes that taxation rates on gross gaming machine revenue be reduced to eliminate the GST credit scheme that currently applies to clubs in the ACT. This means that, from 2005-06 and beyond, GST payments will no longer be deducted from gaming machine tax paid by clubs.

This initiative realises a longstanding commitment to the club industry and, by having gaming machine tax rates that are independent of GST paid to the commonwealth, will make the ACT consistent with all other jurisdictions in this regard. The removal of the GST credit scheme, together with the corresponding decrease in gaming machine tax rates, will take effect from 1 July 2005. These measures will have minimal financial implications for the ACT, as the proposed change in the gaming machine tax rates will be revenue neutral for overall gaming machine taxation collected by the territory.

The simplification of the tax calculation system will benefit both club licensees and the Gambling and Racing Commission in verifying tax liability payments. In addition, the new system provides for an increase in the tax-free threshold from \$8,000 to \$15,000 gross gaming machine revenue per month, and will allow clubs to pay their GST quarterly rather than monthly without the fear of missing out on some of their GST credit because their GST payment exceeds their gaming machine tax liability. This will allow clubs, particularly the smaller ones, to save on administrative time and expense.

As was stated in this year's budget papers, the gaming machine tax rates will increase from 1 July 2007 and will raise an estimated additional \$5.3 million per annum. This will be achieved by an increase in the top two marginal gaming machine tax rates only. The increases are from 16 per cent to 17 per cent for those larger clubs with an annual gross gaming machine revenue in excess of \$300,000, and from 18 per cent to 21 per cent for the largest clubs with gross gaming machine revenue in excess of \$600,000.

This government recognises the important role that clubs play in the ACT in providing broader services to the community. Unlike, for example, Victoria, where most gaming occurs in privately owned and commercially focused hotels, the ACT club industry uses its revenues to support its members and the community by providing valuable services and facilities.

This government is acutely aware that a number of the clubs in the ACT are presently experiencing some financial pressure and are likely to be adversely affected by the introduction of more stringent smoking restrictions at the end of next year, at least in the short term. That is why the government has decided that the increase in gaming machine tax will not occur until the 2007-08 financial year and will only apply to the larger clubs. I commend the Gaming Machine Amendment Bill 2005 (No 2) to the Assembly.

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

Unit Titles (Staged Development) Amendment Bill 2005

Mr Corbell, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (10.53):
I move:

That this bill be agreed to in principle.

Today I am introducing amendments to the Unit Titles Act 2001. The object of these amendments is to resolve an anomaly with respect to the staging of class A units in that the units must be physically built in order for staging to be permitted. In other states, the staging of class A units, or their equivalent, only requires the first stage to be built and that the remaining stages have development approval. The proposed amendments to the legislation will permit similar staged developments to be built in the territory as are currently permitted in New South Wales and Victoria.

A number of complex issues have been addressed in the amending legislation with the assistance of a process of consultation with industry, territory agencies and the law society. The concerns addressed in this legislation include the manner in which common property is to be protected and regulated during construction; how the amenity of residents occupying completed units during construction is protected; review of the provisions concerning collection of bonds or establishment of bank guarantees with respect to the incomplete building and site works; and the requirement to complete a development statement, which is to be registered with the units plan.

During development of the legislation, regard has been had to the legislative provisions for staged developments in New South Wales. These provisions are reflected in the proposed amendments to the act and to the regulations. Only one consequential amendment will be required and that will be to the Land (Planning and Environment) Act 1991. The legislation being tabled today will extend the range of residential and commercial developments in the territory and I commend the legislation to the Assembly.

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

Construction Occupations Legislation Amendment Bill 2005

Mr Corbell, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (10.56):
I move:

That this bill be agreed to in principle.

This bill amends the Construction Occupations (Licensing) Act 2004, or COLA as it has become known, and two of COLA's operational acts: the Building Act 2004 and the Water and Sewerage Act 2000.

COLA commenced in September 2004 and brought fundamental change to the regulation of construction occupations in the territory. It gives more effective compliance powers through a licence demerit point system and enforceable rectification orders, requiring substandard construction work to be fixed by the responsible licensee. COLA also unified licence regulation and discipline provisions across all of the COLA occupations,

including builders, building surveyors, electricians, gasfitters and various plumbing occupations.

During the first six months of operation of COLA and its consequential reforms, several minor wording anomalies were identified. Enhancements were suggested to improve the operation of COLA and some of its operational acts. This bill addresses those anomalies and makes the wording of several provisions in the amended legislation clearer and more effective in achieving their intended outcome. None of the provisions of the bill imposes regulatory burdens any greater than in the current legislation.

The bill reduces some of the burden on home owners in that it provides certain exemptions from having to make older parts of houses fully comply with the current building code when they are extended or renovated. These exemptions apply where it is likely to be practical or cost effective to achieve building code compliance. The code's requirements covering asbestos, fire protection and basic safety are not affected by these exemptions. The exemptions apply only in relation to houses and non-habitable buildings, such as carports and garages, so the code's provisions covering apartment units and commercial buildings continue to fully apply. The outcomes of industry consultation on the proposed exemption to the code have been incorporated into the bill, and I would like to thank the people and the industry groups who provided comments on the proposals.

Recent work by officers dealing with the detail of asbestos provisions identified a possible anomaly in the Building Act's provisions covering the handling or disturbance of asbestos in buildings. This bill will remove doubt about the application of the act to all cases of asbestos work on buildings, which is consistent with the original intent of those provisions in 1984. The amendments do not foreshadow the work of the ACT's asbestos task force; rather, they clarify the current regulatory position in a way that is consistent with how asbestos laws have been applied in the territory since 1984.

The bill will also allow corporations and partnerships to be licensed in the COLA occupations covering plumbing plans certifiers, the people who approve plans for plumbing and drainage in buildings. This amendment is anticipated to increase the very low number of people licensed in that specialised profession.

In conclusion, the suite of minor legislative enhancements in this bill respond to the needs of administrators, the community and relevant sectors of the construction industry. It will make the jobs of complying with and administering COLA and its operational acts easier by clarifying certain provisions and removing a sometimes expensive burden on home owners doing renovations and extensions. I commend the bill to the Assembly.

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

Working Families in the Australian Capital Territory—Select Committee Appointment

MR GENTLEMAN (Brindabella) (11.00): I move:

That:

- (1) a Select Committee on Working Families in the Australian Capital Territory be appointed to examine the effect on working families in relation to health costs, effects of industrial relations changes, adjustments by the Commonwealth Grants Commission and the allocation of funds by the Commonwealth, impacts on current or potential ACT legislation by the Commonwealth and any other related matter;
- (2) the Committee be composed of:
 - (a) two members to be nominated by the Government; and
 - (b) one member to be nominated by the Opposition;to be notified in writing to the Speaker within four hours after the passing of this resolution;
- (3) the Committee report by the first sitting day in August 2006 and that the Committee also provide interim reports on its progress; and
- (4) the foregoing provisions of this resolution so far as they are inconsistent with the standing orders have effect notwithstanding anything contained in the standing orders.

This motion for the formation of a Select Committee on Working Families in the Australian Capital Territory is a response to questions directly from those families in the ACT. It is with dismay that we note recent statements from the federal government advising that they will remove or change legislation that will affect the lives of ACT families. The changes notified include changes to the Medicare safety net, the withdrawal of commonwealth grants to the ACT, the reduction of funding of community groups, industrial relations issues, and the introduction of voluntary student unionism.

The charter of this select committee is to look at the changes or proposed changes to federal legislation that will affect working families in the ACT and, further, the actual legislation that is current or proposed that may cause the ACT government to change its current or proposed legislation.

The Prime Minister and the federal Treasurer, minister for industrial relations and minister for health, as well as state governments and peak bodies such as the ACTU, have all advised that the process has begun. The federal government has advised that, with the introduction of a new Senate midway through this year, any legislation to do with these matters already being held up in the Senate will pass through.

The federal Minister for Employment and Workplace Relations, Kevin Andrews, has advised that the federal government will severely reduce allowable matters in basic awards. They will take away the power from the Australian Industrial Relations Commission, our foremost independent arbitrator, to set minimum wages. Many Canberrans working under awards rely on this arbitrator to set their minimum wage so they do not fall below the poverty line.

One can only imagine what would occur if peak business bodies were to have a bigger influence on the setting of the minimum wage. Without a reasonable minimum wage and with continued attacks on unions, many Canberrans need an independent arbitrator to assure basic living needs. It is also apparent that the federal government will introduce Australian workplace agreements to replace balanced family-friendly certified agreements. The introduction of AWAs over certifying agreements will affect thousands of Canberrans.

The Stanhope Labor government has worked hard on many new initiatives that are now under threat by the federal government from 1 July. The industrial manslaughter legislation was a major piece of legislation for the rights of workers in the ACT and their families. This piece of legislation has helped protect the rights of workers and called on their employers to respect and maintain safe working environments. It allows for people to feel protected in the workplace and ensures a positive future for all working families. In Australia, around 440 workers are killed each year in work-related accidents, and the ACT's industrial manslaughter legislation helps to protect our workers.

As we are aware, there has already been talk in the media about the issues surrounding the government's Medicare safety net. The federal Minister for Health and Ageing, Tony Abbott, has been strong in promoting his government's commitment to the Medicare safety net and the positive effects it will have on the community. But we have now been advised that they have broken this promise and that the safety net has been changed to reduce the amount of claims for Canberrans. It also appears that private health care costs have risen by up to 30 per cent, and this directly affects our community in the ACT.

The federal education minister, Brendan Nelson, has already introduced, on 16 March 2005, a bill that will decimate the provision of services for university students. The bill, if enacted as legislation, will prohibit higher education from providing such amenities, facilities or services that are not directly associated with academic studies. University students comprise a significant sector of the population in the ACT, and the quality of our educational facilities brings students from across Australia and the world to study in Canberra.

The Select Committee on Working Families in the Australian Capital Territory will investigate these real and apparent changes and the outcomes and effects they will have on our community in the ACT. If created, the committee will report on and advise the Assembly during and after any changes that affect the ACT and our working families. The feedback that we have had from the ACT community is that of concern. The community are worried about these federal changes and the effects they will have on their families. It should be this government that helps to educate our own community. As participants in the democracy of the Australian Capital Territory, I urge all Assembly members to support this motion.

MRS DUNNE (Ginninderra) (11.05): The Liberal opposition will be opposing this motion, not because we are not concerned about working families—indeed, as we are all members of working families, we are very concerned about the implications for and impacts on working families—but because this is a stunt by the Labor Party.

There needs to be a bit of history given. If the Labor Party were so interested in this subject, they would actually consult with people. Members of the opposition became aware of this motion—I suppose the same was the case for Dr Foskey—when we read it on the draft notice paper for listing business on Tuesday at the administration and procedure committee meeting. I had a coy note from Mr Gentleman after that saying that he would really like to discuss it. I suggested that yesterday, Wednesday, would be a good time and at 9 o'clock this morning Mr Gentleman came into my office to discuss this motion.

The problems that the Liberal opposition have with this motion are many. The terms of reference are entirely inadequate and are just a rhetorical flourish by those opposite as an opportunity to bash the commonwealth. When the government have got nothing else to do—when they have no more shots in their larder, when they have a pathetic budget that is showing that we are driving deeply into debt—what do they do? They come out with a little bit of commonwealth bashing, the same as we had with Ms Porter's motion yesterday afternoon.

Quite frankly, the Liberal opposition, while wanting and being quite willing to talk about, discuss and inquire into the impacts on working families and how we might improve their lot, are not prepared to sign up to these terms of reference. I suggested to Mr Gentleman this morning that, if he was really interested in looking after the interests of working families, we would not debate this motion today; that we would have some discussion during the break and, if we could come up with acceptable terms of reference, he could bring it back when we next sit in June and that at that time we would willingly sign up to it.

I also suggested that, if they were really interested in looking after the interests of working families, the Labor Party might extend to all members of the Assembly the courtesy of being involved in this process. But the government want the committee chairmanship, and that really is the nub of it. The government want the committee chairmanship because they need to give some of their backbenchers a bit of a pay rise. To run a 16-month inquiry into working families is a disgrace that gives somebody on the back bench over there roughly a \$15,000 pay rise. That is what this is about. We are looking at a \$90 million deficit next year and we will have Mr Corbell swanning around Portland, Oregon, Florida and Disneyworld and the garden suburbs of London, and we will have one of the Labor backbenchers, presumably Mr Gentleman, voting himself a pay rise.

We have looked at Mr Gentleman's reasons for introducing this motion, one of which relates to the grants commission's cutbacks to the ACT. If you really want the grants commission to work for you, what you have to do is to go out and advocate for the ACT in the grants commission. The other day, at the budget reply at the convention centre, Mr Quinlan said that, back in 1997, there was a windfall gain because the grants commission changed the multiplier from 0.9 to 1.1 for the ACT. How did that happen? It happened because the then Treasurer, Chief Minister, Deputy Chief Minister and the entire cabinet turned up on not one but a number of occasions.

I was privileged to be there. I thought that they were absolutely up against it and that nothing would happen, but they were persistent and they turned it around. They went out

and advocated for the ACT. So, if you are concerned about the grants commission, let us have the Treasurer and the Chief Minister advocating with the grants commission, rather than giving Mr Gentleman or one of his cohort a pay rise.

Of course, also mentioned in the motion is the great scourge that causes everything from piles to the breakdown of civilisation as we know it—the introduction of VSU. The introduction of VSU is said to be having a huge impact on working families. If this government were really interested in working families, the Liberal opposition would be signing up to this today. If this government were really interested in working families, they would adjourn this debate and actually take up my offer of negotiating reasonable terms of reference that include involving the crossbenchers, if they wish to be involved. Then we would have a reasonable inquiry. But, at this stage, what this is about is a rhetorical flourish, as Dr Foskey said to me earlier. I use her term because it is a good term.

This is really only about an opportunity to bash the commonwealth and we will not be a part of it. If the government is really interested in looking after working families, I propose that we adjourn this debate, have a discussion and bring the motion back in June with proper terms of reference.

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

That the debate be adjourned.

The Assembly voted—

Ayes 8

Mrs Burke Mr Seselja
Mrs Dunne Mr Smyth
Dr Foskey Mr Stefaniak
Mr Mulcahy
Mr Pratt

Noes 9

Mr Berry Ms MacDonald
Mr Corbell Ms Porter
Ms Gallagher Mr Quinlan
Mr Gentleman Mr Stanhope
Mr Hargreaves

Question so resolved in the negative.

DR FOSKEY (Molonglo) (11.15): I like the way the Clerk carefully counts the numbers when we have a division like that, as though somebody else has appeared in the other team. I am also conscious that my own vote is probably the only one that is not really predictable and I feel that that puts me in an interesting spot.

I voted for adjournment of the debate on this motion. I agree with Mrs Dunne on a number of the points that she raised; in particular, that it would not hurt to put it over until June. It certainly would not hurt. I see it as a bit of doggedness on behalf of the government that it will not consider any change to its plans, due to the fact that it has the weight of numbers. We all know that this committee is unlikely to get up and running before all the estimates committee process is over anyway. So I cannot see the point in opposing that adjournment. In fact, it is a big disappointment to me.

Mr Gentleman came to see me the other day about the motion, but I had already seen it on the notice paper and I had observed that the composition of the committee was to be two government members and one opposition member, with no crossbencher. While I gave some thought to whether I should fight to be on this committee, and probably fail, I felt that I did not want to be on it because I was not sure that the committee would produce anything. No, I take that back. There is potential for this committee to do some good research, some new research, and come up with some new information that could be useful to this government in devising next year's budget.

That is the only ground on which I could agree with this Assembly setting up this committee. It has to be of use to us, and this government has to decide to make up for the shortfalls. I know it is a problem for Labor governments all round the country that they are very much constrained under our federal system by grant decisions and policy decisions made by the commonwealth government. I can sense the frustration there. I have heard it expressed often enough by our Treasurer and other members of the government and I know how it is played out in regard to commonwealth-state housing agreements and so on. I share a lot of that frustration.

Mrs Dunne quoted me as saying that I feel that this is a rhetorical gesture, because I mentioned yesterday or the day before that I see a lot of the way debate is framed in this Assembly as being the territory Labor government versus the Liberal opposition, but really using the Liberal opposition as a straw man for the federal government, and vice versa. I do not think that this is the place to play out federal politics. Federal politics are relevant to us and they are the context in which we work but, as I said to Mr Gentleman when he brought this motion to my attention, "This is just going to be one big barney, two Labor and one Liberal, with the government in the majority." It will just be a tinier fight than the one we have here.

Frankly, I am not interested. I would have thought that there was room to discuss the terms of reference. One thing about committees is that they come out of this whole Assembly, and this one is being imposed upon it. That probably is not the spirit in which Mr Gentleman has put forward the motion, because I know that he cares hugely about working people and their conditions. He knows that I do, too. I am in fact a working person with a family who has quite a lot of trouble fitting in my obligations, as they exist. That is one of the reasons that, as a working person, I am not going to fight to be on this committee about working families.

MR SMYTH (Brindabella—Leader of the Opposition) (11.20): Mr Speaker, I think we can all agree with what Dr Foskey just said and what Mrs Dunne said earlier about the need for the committee and whether it is just an opportunity to beat up on the federal government. If the government is serious about this issue, you really do have to question why families in need, working families, have to wait until August 2006 to get an answer from the committee. Why would it take 16 months to gather this sort of information in the ACT?

The information picked up in June 2005 is going to be out of date by August 2006. It just seems illogical to wait 16 months to get that answer if this issue is as important as the government maintains. If it is to influence the Commonwealth Grants Commission, by August 2006 we will have had another budget process and the commission would have

already made its decisions for 2006 because they would be in the federal budget in May 2006.

The implication of that is that this is so important that the government does not want to influence the Commonwealth Grants Commission until it makes its report before the 2007 budget—28 months. That shows how important working families in the ACT are to the Labor Party. The earliest we could exert some influence on the grants commission adjustments would be the 2007 budget. So you have to question, firstly, why we are having the committee in the first place and, secondly, why this committee is going to take that long to report.

Select committees, traditionally, are established to look at urgent issues, important issues, and bring quick decisions to the Assembly. This one, I think, is just a joke by comparison. You have to ask yourself whether the only reason is to give somebody a committee chair's fee for 16 months. People can decide in their own way as to how they feel about that, but I think that this is just a joke. This motion, as worded, is a slap in the face for working families in the ACT because it will be out of date by the time the committee publishes whatever it might publish.

The motion talks about examining the effects on working families of health costs. We know that the CPI figure for health costs is somewhere between seven and eight per cent. I can answer that one for the committee now. As to the effect of industrial relations changes, all the reports I have seen indicate that the industrial relations changes will free up another 50,000 job. I would have thought that that would make for more working families. We can probably answer that question now pretty quickly. As to adjustments by the Commonwealth Grants Commission, we will not know of any effects coming out of this select committee's report for two years; it will be two years before we know whether we can use it to influence the commission.

Ms Gallagher: Not two years.

MR SMYTH: It will be two years. If it is to report in August 2006 and if you are going to use this document to influence the grants commission in the lead-up to the next federal budget, the next federal budget will not be until May 2007. It is a two-year sphere of influence that you are seeking to exert here. It is absolutely ridiculous that we should take that long. If this were really a serious issue to the Labor Party, they would have done this work by now. They have been in office for 3½ years. They could have started this work when Mr Gentleman was elected last November. They could have had a report for this year's budget, if it was that important.

There is also the issue of whether work like this would have been done by a CSSE committee, had one been formed. Assurances were given to the Assembly that all the work of the previous CSSE committee would be picked up by the other committees. Given the clear lack of urgency, lack of commitment and lack of a case for it, surely this is just standard work for one of the committees. The Labor Party can tell us which committee it actually belongs to. As they abolished the CSSE committee, the committee that the previous Assembly had that looked at these issues, they can pick which one it really should be working under, but there has been no case made for the establishment of a select committee on this issue.

Mr Speaker, I have had an amendment circulated in my name. I move:

Paragraph (3), omit "August 2006", substitute "December 2005".

If we are really serious about having this inquiry, I think it could probably be done in three or four months, but let's give the government the benefit of the doubt and take it out to December of this year. My amendment is quite simple. It says that, if we are serious about having a select committee on working families in the ACT, clearly we will want the answer in six or seven months, not in 16 months. I am sure that the Labor Party will agree that, on such an important issue, we should actually have the answer by the end of the year.

Members have to remember that it is not just a matter of the committee work; there is then the government's response. If this committee actually reports in August 2006, as proposed, its report cannot have any influence on an ACT budget until 2007, because in about October or November 2006 the next round of budget preparations starts for impact in May 2007.

Mrs Burke: Just in time for the next election.

MR SMYTH: Mrs Burke, how can you suggest that this is about the next election! Mr Gentleman said that it is about working families in the ACT. The timing of this motion is all wrong. The timing is an appalling indictment of the Labor Party's attitude towards families and the genuineness of their commitment to improving the lot of working families in the ACT.

MS GALLAGHER (Molonglo—Minister for Education and Training, Minister for Children, Youth and Family Support, Minister for Women and Minister for Industrial Relations) (11.26): The government will be supporting Mr Gentleman's motion, with a reporting time of August 2006. There are a couple of reasons for that. My understanding of that from discussions with Mr Gentleman—I am sure that he will expand on this when he closes the debate or speaks to the amendment—is that the committee will be in a position to hand out interim reports before that time and that the significant legislative changes to be faced by ACT families, notably in relation to industrial relations, and the impact of those changes, will take some time for a committee to analyse.

Even if that legislation were to be put into parliament in May, it would not be debated until after July and then we would see some impact. We expect to see significant impacts flowing from that and the committee will need time to look at them. It will need time to talk to witnesses who will be affected by the proposed legislative changes and to inquire properly into those changes. It would not be possible for the committee to do that work and report by December 2005, taking into consideration all of the input that will be sought based on the legislative changes. We have not even seen what the legislation is going to be.

Opposition members interjecting—

MS GALLAGHER: Mr Speaker, I listened to opposition members in silence and I would really appreciate it if they could just shut their mouths and let me speak.

The ACT government supports the promotion of policies that address work and family collision in both the public and private sectors. We have done so over the past term in office through improved conditions in the ACT public service, through cooperation with unions and businesses to see improving work and family conditions, through submissions to national forums, including the Australian Industrial Relations Commission, on the work and family test case and the national living wage case, and through reforms to areas such as long service leave.

While much media attention is focused on caring for children, elder care is also an issue for many workers. Some of the interest in the issue is driven by families wanting greater access to quality childcare and a greater balance in their working lives, but others are interested because of the declining fertility rate in Australia. This decline, combined with the retirement of the baby boomer generation, means that there has been a decline in the number of potential workers available and policies are needed to address this trend.

People in Canberra have the highest levels in Australia of participation in the work force. For males, about 78 per cent participate in the labour force, compared with 72 per cent nationally. For females, about 67 per cent participate in the labour force, compared with 56 per cent nationally. For women with children aged less than five, Canberra again has the highest level of engagement in the work force, with about 60 per cent participating in the work force, compared with about 50 per cent nationally. This makes these issues particularly pressing for the ACT community.

It is for all of these reasons that the ACT government considers work and family a priority and why our Chief Minister, Mr Stanhope, has called for a COAG summit on the issue. We recognise that the challenge for our government and our community is to put in place new ways to plan, develop and manage the ACT to create a place in which all people have an opportunity to make a contribution and share benefits.

Social investment—that is, investing in people—is a requirement of a healthy and well-balanced society. At a national and international level, the interrelationship between social and economic issues is well recognised. The ACT government understands this connection and values its greatest asset, our people. The social plan is our commitment to the principles of access, equity and participation and it is our genuine attempt to make sure that every Canberran can share in the good fortune of our city over the coming decade.

There are, however, other influences on how Canberrans will fare. Australian government policies, particularly changes and potential changes in industrial relations and to commonwealth-state financial arrangements, have an effect in the ACT not only on working families but also across the board. The Australian government, while experiencing record taxation gains from its own sources, has undertaken a program of cost shifting to the states and territories on the pretext of the states experiencing windfall gains from the GST.

The terms of reference of Mr Gentleman's motion are broad and recognise the impact that work and family issues have over a range of portfolios. They also identify that there are many potential risks on the horizon in the field of commonwealth-state financial relations and they will warrant close scrutiny by both the ACT government of the day and the Assembly itself as the picture unfolds over time. The threats posed by the recent shifts in federal government policy warrant a bipartisan approach to protecting the interests of ACT families. We recognise that work and family issues are not confined to the industrial relations portfolio. To properly address this important social issue, a cross-portfolio approach needs to be taken.

Family composition is changing. In the ACT, there are 51,820 families with children. Couples comprise about 39,326 of the families and one-parent families comprise the remaining 12,494. Of the 39,000 couples, 33,000 families have dependent children and students. Of the one-parent families, 9,265 have dependent children and students. People in Canberra have the highest levels in Australia of participation in the work force. As I have said, 78 per cent participate in the labour force compared with 72 per cent nationally.

More women in the work force are employed full time in Canberra than nationally, with 63 per cent working full time compared with 54 per cent nationally. For couple families with children under 15, two-thirds, 66 per cent, have both parents employed. For one-parent families with children less than 15, 63 per cent are employed compared with only 46 per cent nationally. The experience of having dual or many roles impacts on workers and the workplace.

Mr Speaker, the ACT government is very happy to support the motion put forward by Mr Gentleman. It is an extremely important area of inquiry and one on which I know the opposition, once they get over their opposition to it, will work cooperatively with the government in delivering advice and inquiring into the many changes that we are going to see over the next year. The government looks forward to the report and to responding to the report once it is completed.

MR GENTLEMAN (Brindabella) (11.33), in reply: I rise to speak against Mr Smyth's amendment and for my motion. This committee needs to be able to report on all of the possible changes mentioned. We are of the strong belief that this work will carry on well past December 2005. With that in mind, the committee should continue past December and make interim reports as well as the one for August 2006, as noted in the motion. The IR changes mentioned will continue for some time and the committee needs that time to analyse those changes.

Mr Speaker, I was astounded by the comments made by the opposition, especially Mrs Dunne. I tried on two occasions this week to talk to Mrs Dunne, only to find her office empty. I emailed her without response. This morning, I had my first chance to have a word to Mrs Dunne. She advised me this morning that she would look at supporting this motion with some minor amendments. Then, not 20 minutes ago, she said in this chamber that she would support the motion if we amended the reporting period, quite contrary to her words earlier.

I noted Dr Foskey's words and I am pleased to hear that she is in support of working families. In the conversations that I had with her earlier, she did look to having some input to the committee.

I am pleased to see that this motion for the appointment of the Select Committee on Working Families in the Australian Capital Territories has begun a debate. I would like to thank all of those involved in that process. In closing, I urge the Assembly to support my motion unamended and reject Mr Smyth's amendment.

MRS DUNNE (Ginninderra): Mr Speaker, I seek to speak under standing order 47. I have been misrepresented in the debate.

MR SPEAKER: You can do that.

MRS DUNNE: Mr Speaker, in the debate today I said that we were in support of working families but we were not in support of these terms of reference. I have been verbally by Mr Gentleman. He also verbally me about the conversation I had in my office, Mr Speaker.

MR SPEAKER: Order! That is a debating point. I do not mind your commenting, pursuant to standing order 47, on how you might have been misquoted, but I am not going to see accusations fly across the floor in the context of the use of that standing order. So, if you want to refer to the points, do so and then we will be finished with it.

MRS DUNNE: Mr Speaker, speaking in accordance with standing order 47, I was misquoted by Mr Gentleman in what he said about both what I said in the chamber today and what I said in my office. I have said that we are supportive of the notion of inquiring into working families, but we are not supportive of these terms of reference and that, unless we had proper terms of reference that really look at working families, we would not be able to support the motion.

Question put:

That **Mr Smyth's** amendment be agreed to.

The Assembly voted—

Ayes 8		Noes 9	
Mrs Burke	Mr Seselja	Mr Berry	Ms MacDonald
Mrs Dunne	Mr Smyth	Mr Corbell	Ms Porter
Dr Foskey	Mr Stefaniak	Ms Gallagher	Mr Quinlan
Mr Mulcahy		Mr Gentleman	Mr Stanhope
Mr Pratt		Mr Hargreaves	

Question so resolved in the negative.

Amendment negatived.

Motion agreed to.

Education, Training and Young People—Standing Committee Report 1

MS PORTER (Ginninderra) (11.40): I present the following report:

Education, Training and Young People—Standing Committee—Report 1—*Report on 2003 to 2004 Annual and Financial Reports*, dated 19 April 2005, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to move a motion authorising the report for publication.

Leave granted.

MS PORTER: I move:

That the report be authorised for publication.

Question resolved in the affirmative.

MS PORTER: I move:

That the report be noted.

Mr Speaker, in presenting report 1 to the Assembly, I would like to note that the report makes a number of recommendations relating to some elements of reporting styles and content. It also makes a comment relating to reporting of the implementation of previous government responses to Assembly committee reports. Importantly, it recommends that a mechanism be included in the directions for annual reports for recognising the contribution of unpaid staff, that is, volunteers.

On behalf of the committee, I thank the minister for making herself and departmental officials available to meet with the committee and participate in the public hearings. They were the first committee hearings for a number of committee members, including me, and I thank the committee secretariat, particularly Siobhan Leyne, for their work on this report.

MRS DUNNE (Ginninderra) (11.43): I will be brief, Mr Speaker. As would be expected from a group coming fairly fresh to these portfolios, with an election intervening, this is a modest report. It sets the path for where we would expect to see annual reports in the education portfolio and related areas going in the future in relation to improved reporting. I wish to underline the principal concern that I have. Recommendation 1, at paragraph 2.5, says:

The Committee recommends that annual reports accurately reflect the full governance arrangements of the agency throughout the entire year.

Recommendation 2, at paragraph 2.13, says:

The committee recommends that reporting agencies improve the level of discussion and analysis in reports, including clear and plain explanations of the intent, meaning

and variances in performance measures, and including discussion of challenges and difficulties faced by the agency.

That message is not really as clear as I would have liked and I am using this opportunity to expand and amplify it. It was the practice of the planning and environment committee of the previous Assembly, under both of its chairs, to report on the failure of agencies to report warts and all. There was a clear failure in, especially, the department of education's annual report to report warts and all. It was a very difficult year for the department of education and all the difficulties in the department of education were fairly much glossed over. There were passing references to changes at the helm, but there was no discussion and no analysis in any way of what went wrong in the department of education.

The Auditor-General has spoken at length in previous reports about the importance of what I would call and I think the Auditor-General called warts-and-all reporting. It is certainly not yet happening in the annual reports of education and related portfolios and we would like to see it in the future.

Question resolved in the affirmative.

Planning and Environment—Standing Committee Report 8

MR GENTLEMAN (Brindabella) (11.46): I present the following report:

Planning and Environment—Standing Committee—Report 8—*Inquiry into Referred Annual and Financial Reports 2003-2004*, dated 4 May 2005, including additional comments (*Mr Seselja*), together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to move a motion authorising the report for publication.

Leave granted.

MR GENTLEMAN: I move:

That the report be authorised for publication.

Question resolved in the affirmative.

MR GENTLEMAN: I move:

That the report be noted.

I have tabled in the Assembly today the report of the Standing Committee on Planning and Environment on annual reports for the calendar years 2003 and 2004 and the financial year 2003-04. Those annual and financial reports were presented to the Legislative Assembly on 7 December 2004 and referred to the standing committees for inquiry and report. The Standing Committee on Planning and Environment is responsible for reports from the ACT Planning and Land Authority, the ACT Land Development

Agency, the ACTION Authority, the Department of Urban Services, the Commissioner for the Environment, the Canberra Public Cemeteries Trust and the Nominal Defendant.

On 9 December 2004 the committee elected not to review the report of the Canberra Public Cemeteries Trust. The annual report of the Nominal Defendant was tabled on 10 March and has been deferred for comment until the position of the independent Nominal Defendant has been reaffirmed. Public hearings were held on 22 February and 31 March 2005 to assist the committee in its assessment and clarification of issues referred to in these reports. A list of ministers and government officials attending these hearings is referred to in the report.

The purpose and the intent of the annual reports are to report on objectives that are clear and measurable and to discuss results against expectations. After much consultation, the committee recommended that chief executives institute processes to improve the level of discussion in reports, including clear and plain rationale for targets, a trend analysis, variance in performance measures and discussion of issues faced. The committee also recommended that the government elevate the contribution of volunteerism by ensuring that strategies and guidelines are developed, including for 2005-06 annual reports, to encourage agencies to analyse, develop, nurture and report in quantitative and qualitative terms on the work undertaken by volunteers in relation to government outcomes.

The committee recommended that the Department of Urban Services develop a revised approach to clarifying and sharing no waste targets, strategies, real progress and information with the community, and provide more backcasting in future annual reports. Finally, the committee recommended that, under the supervision of the ACT Planning and Land Authority, agency focus on sustainable transport issues should be treated as a fundamental whole-of-government issue and that attention and commitment should be given to a high level of integrated planning, research, advocacy and marketing, to demonstrate the rationale and efficacy of sustainable transport approaches, with this priority and need for integration being reflected through the planning process and reporting.

The committee has discussed the appropriateness of questions unrelated to the annual reports and the treatment of those questions in relation to the standing orders as well as the parliamentary committee process. We would like to thank the Minister for the Environment, Mr Jon Stanhope, the Minister for Urban Services, Mr John Hargreaves, the Minister for Planning and minister responsible for ACTION, Mr Simon Corbell, and government agency officials for their valuable time and effort in these annual report hearings for the Standing Committee on Planning and Environment.

I do wish to add my thanks and the committee's thanks to the secretariat, especially Dr Hanna Jaireth, for their exceptional work. I commend the report to the Assembly.

MR SESELJA (Molonglo) (11.50): I want to add a couple of comments in relation to the report in respect of my additional comments at the end over Mr Corbell's failure to answer a certain question. The question was in the context of a discussion of the sustainable transport plan. There were a number of questions about how ACTPLA, which is responsible for the sustainable transport plan, was contributing to the aims of that plan in the way it managed its business. There were a number of questions about parking and other issues.

The particular question was about home garaging of ACTPLA fleet vehicles. It was quite a reasonable question in the context, and Mr Corbell flat out refused to answer it, which was disappointing. There did not seem to be any real reason why not to do so. It did not identify individuals, or anything like that.

I have subsequently been told that Mr Corbell's department has answered that question as a question on notice in the normal 30-day period, but there was a failure to answer that question for the committee. Of course, as we have seen, Mr Corbell has form on this issue. In the past he has been found to be in contempt of a committee for refusing to answer a particular question.

It is disappointing that Mr Corbell continues to do that. Obviously, the numbers in the Assembly are such that he probably will not be kept to account in formal ways as he was in the past, when, in fact, a committee unanimously found him to be in contempt of the Assembly, including his cabinet colleague, Mr Quinlan. Mr Quinlan said something along the lines of, "Well, yes; he was in contempt but it was not very serious."

We certainly hope that, in the future—I certainly express that view—Mr Corbell will make himself more open and accountable to committees and that he will respect the committee process. It is an important part of scrutinising the work of government.

I do not think any of the questions we put were unreasonable. The reasonableness of those questions is demonstrated by the fact that I believe ministers of all departments have now answered basically an identical question subsequently put by Mrs Dunne. There was nothing inherently unreasonable about the question. Mr Corbell simply seemed to decide that he did not want to answer questions, and we have seen that before.

Mrs Dunne: Very revealing it was, too.

MR SESELJA: It was very revealing. I would like to make the point once more that it was disappointing, and I call on Mr Corbell in future to be a little more open with committees.

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (11.53): Can I start by complimenting Mr Gentleman and the majority of the committee for bringing down a very sensible and reasoned report, which identifies issues of real concern and of interest to the community and indeed the government. We will certainly be taking into account the recommendations the committee has made.

Of course it seems that not a day can pass in this place without Mr Seselja or another member of the opposition deciding that it is time to kick me around the head. While I have no difficulty with that, because that seems to be the way the Liberal Party do their business now in the Assembly, I want to put a couple of points on the record in rebuttal.

At the time I did consider that the question being asked by Mrs Dunne—it was not asked by Mr Seselja—around where vehicles were home garaged was quite intrusive. I could not see the relevance of it. I indicated to Mrs Dunne that a better way to answer the question would be to say, "We can tell you how many kilometres the vehicles travel, so you can see how far they travel on a daily basis."

That is really what it is about—how far do they travel? That is what I indicated to Mrs Dunne but, of course, she was not happy with that; she pressed the point through a question on notice. At the end of the day, if Mrs Dunne was really insistent about it, we were happy to answer the question.

What I find quite despicable about the Liberal Party's approach is the snide little innuendo about the people who preach sustainable transport being the same people who are taking advantage of home garaging and free car parking. Those are the lines we have heard from the Liberal Party, from both Mr Seselja and Mrs Dunne.

If we are going to enter into this sort of snide little debate about practising what you preach, then maybe Mr Seselja should look at the fuel consumption of the vehicle he currently has from the Legislative Assembly, for example. I do not like entering these sorts of debates, but if that is the kind of debate we are going to have, I ask: what sort of fuel consumption does your vehicle undertake, Mr Seselja? How many vehicles has Mrs Dunne been through in the Assembly since she has been here? Those are the sorts of issues that could just as legitimately be debated when the Liberal Party brings in these snide little pieces of innuendo that we now hear in this Assembly all the time, simply as a matter of course.

The government does not like entering into that sort of debate. We do not see it as particularly worth while or indeed as adding anything to the credibility of these very important issues. If that is the approach we are going to see from the Liberal Party, then perhaps they need to reflect just a little on where they stand on some of these matters as well.

MR GENTLEMAN (Brindabella) (11.56), in reply: I need to respond to Mr Seselja's comments on Minister Corbell's failure to answer questions during the annual report hearings on 22 February 2005. I wish to advise the Assembly of the committee's and the chair's views on the outcome.

The committee's view is that Minister Corbell expansively answered all questions to the best of his knowledge and ability at all times. In relation to the question being discussed in Mr Seselja's annex relating to the garaging of ACT Planning and Land Authority vehicles, the committee notes that this question has been answered fully and in detail, both in the realms of the committee hearing process and in the Assembly with a question on notice from Mrs Dunne.

It is the chair's view that Mr Seselja has sought to use this committee process to promote his political agenda. Mr Seselja has, on several occasions in the committee process, attempted to castigate the Minister for Planning in additional comments added to reports.

The committee has gone out of its way to allow Mr Seselja to make additional comments to a selection of reports that affect the Canberra community. The committee has delayed the tabling of reports on several occasions to allow the construction of comments by Mr Seselja for addition to these reports. These comments have been found to have been used by Mr Seselja to develop a political statement and a personal attack on Minister Corbell. The committee has met extraordinarily to discuss Mr Seselja's additional

comments on several occasions and have, on two separate occasions, not agreed to those comments.

The minister, in our view, has not presumed any inherent problem in answering questions. In fact, it is the view of the committee that the minister—and he is directly thanked in the report—has provided details and full answers to committee members' questions. I call on Mr Seselja to work with this committee with a bipartisan approach and to consider the Canberra community and the committee's responsibilities to our constituents.

Question resolved in the affirmative.

Pest Plants and Animals Bill 2005

Referral to Standing Committee on Planning and Environment

Debate resumed from 3 May 2005, on motion by **Mrs Dunne**:

That the bill be referred to the Standing Committee on Planning and Environment.

MRS DUNNE (Ginninderra) (11.59): This is, as we have said, a very important piece of legislation. In the debate the other day the Chief Minister said, "Look, the World Wildlife Fund has had second thoughts, essentially, and has signed off on this report now." I asked the Chief Minister for some confirmation of that. This morning I received a record of a telephone conversation, presumably written after I asked for this the other day, between staff of Environment ACT and the biodiversity policy manager of the World Wildlife Fund, Mr Andreas Glanznig.

While the record of conversation I was provided with does reinforce the Chief Minister's position that the World Wildlife Fund is essentially happy with the bill as it stands, I would like to share with members what the World Wildlife Fund said to me. For the most part they confirm what is in this record of conversation that was prepared on Tuesday, but it goes further than this record of conversation. It says:

The email confirms the WWF position in relation to the ACT Pest Plants and Animals Bill 2005. WWF strongly supports the intention and substance of the bill—

which we all do—

and notes that it addresses a major strategic weakness of the previous Act, namely it now enables the supply to be prohibited.

WWF believes, as set out in our "Making State Weed Laws Work" paper that all eastern seaboard jurisdictions develop a cooperative proportionary and preventative approach based on a permitted list system as part of deliberations to develop the revised National Weed Strategy.

It says that this has to be a cooperative approach between South Australia, Victoria, New South Wales, ACT and Queensland. It continues on to say that it does not make sense for the ACT to go alone on this matter. It says that the WWF believes that the bill can be strengthened to make explicit the need for pest management to shift to a more preventative approach, and to enshrine the mutual obligation principle to that of the ACT

legislation so it becomes a strong link in the broader regional and national pest management chain. It continues:

The political benefits of adding clauses 4 and 5 are that the ACT can move from having the weakest legislation to having the strongest, and signal that it wants to be a strong link in the national weed management chain and implement national best practice.

Mr Glanznig goes on to suggest particular amendments which I considered turning into amendments today. For instance, he proposes that the minister declare and prohibit the supply of any plant under classes 1, 2 and 5 of the New South Wales Noxious Weeds Act. I have not had the opportunity to find a way of making that work effectively. It would be a good thing to do but we would have to do it in a way that did not tie us to the New South Wales Noxious Weeds Act, which I think would be unfortunate.

As a result of that, the conversations with and correspondence between my officers and the World Wildlife Fund confirm my view that, while this is an important piece of legislation, it could be made better—despite the views of the Chief Minister—by reference to the planning and environment committee.

By doing that we can come up with a couple of amendments that would make it a much better piece of legislation that would make us leaders and the strongest link in the chain, rather than the ones dragging behind and definitely the weakest link. I commend the motion to refer this to the planning and environment committee for investigation and report.

Question resolved in the negative.

Detail stage

Bill, by leave, taken as a whole.

DR FOSKEY (Molonglo) (12.04): I seek leave to move amendments Nos 1, 3, 6, 8, 11 to 20 and 23 to 26 circulated in my name together.

Leave granted.

DR FOSKEY: I move amendments Nos 1, 3, 6, 8, 11 to 20 and 23 to 26 circulated in my name [*see schedule 1 at page 1931*]. The amendments I am suggesting deal with two issues—first, changing the responsible officer from the chief executive to the conservator of flora and fauna in various places of the legislation; and, two, including in the legislation the term “propagation” as well as “supply”. Although these changes are simple of themselves, they involve changes right throughout the bill—hence the large number of amendments on the sheet circulated.

The first set of amendments deals with our amendment to change the responsible officer to the conservator of flora and fauna. We are proposing that, in a number of places in the legislation, the relevant officer be the conservator of flora and fauna rather than the chief executive.

Although the legislation is broader than just environmental issues and covers primary issues, a key part is about protecting the environment. As we know, the spread of pest plants and pest animals is not restricted by fences, be they wire netting, electric or barbed wire, between nature reserves and farmland.

We suggest this will enhance the likelihood that aspects of the legislation are enforced and successful. We suggest these changes so that pest plant and animal declarations may require notification of the presence of a pest plant or pest animal to the conservator, rather than to the chief executive—that is clause 7 (2) (a) and clause 15 (2) (a).

It is an offence if this person does not give the conservator, rather than the chief executive, written notice of the presence of a pest animal or pest plant—that is in clauses 9 (d) and clause 17 (d); that the conservator, rather than the chief executive, can issue a permit allowing the supply of a pest plant or a pest animal—clause 13 and clause 22; that the conservator, rather than the chief executive, can issue a pest management direction—clause 24; that the conservator, rather than the chief executive, must try to give notice of any actions in relation to contravention of a pest management direction—clause 27; that decisions by the conservator to issue a pest management direction are reviewable—clause 48 (e); and capacity for the conservator to delegate functions—clause 51 (a).

We believe these changes will ensure that environmental issues are at the forefront in the decision-making and operational aspects of this legislation, and that this will enhance the capacity for enforcement of the legislation.

MRS DUNNE (Ginninderra) (12.07): Dr Foskey makes a very important point—that some of this best rests with the conservator of flora and fauna rather than the chief executive—but I think some of her amendments go too far. For instance, those relating to clause 15 and clause 7, in particular, are administrative functions that I think would be better left with the chief executive rather than the conservator of flora and fauna. In other cases I think there is merit in what she suggests.

DR FOSKEY (Molonglo) (12.10): I want to allay Mrs Dunne's concerns and argue that it is appropriate to deal with these amendments together because, of course, the conservator has the power to delegate. I think that, where items were seen to be of more relevance to a chief executive, that would be the practical way to go about it. I am not sure that breaking the amendments up is necessarily a good way to go, because we are talking about legislation here.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (12.10): The government will be opposing each of these amendments. The government's view is that the conservator's role is focused almost exclusively on nature conservation. The administration of this pest management legislation is far broader than that. It is not just about nature conservation—it extends well beyond the usual remit of the conservator.

The administration of pest management is much broader than nature conservation. It includes primary industries such as cropping, grazing, horticulture and horse agistment. It is, in the government's opinion, much more appropriate to refer to the chief executive.

That is the approach that has been adopted in the Animal Diseases Act, the Plant Diseases Act and the Stock Act. The argument that enforcement would be enhanced has no basis. In practice, it is the chief executive who heads, and would almost certainly always head, the administrative unit with carriage of or responsibility for the administration of this legislation, and that is the executive director of arts, heritage and environment.

It is the government's opinion, not just as a matter of practicality, that it is more appropriate that it be the chief executive that is charged with this particular responsibility. We oppose the amendments Dr Foskey has moved in this instance, and signal that the government will be supporting further amendments proposed by Dr Foskey.

Amendments negatived.

DR FOSKEY (Molonglo) (12.12): I seek leave to move amendments Nos 2, 4, 5, 7, 9, 10, 21 and 22 circulated in my name together.

Leave granted.

DR FOSKEY: I move amendments Nos 2, 4, 5, 7, 9, 10, 21 and 22 circulated in my name together [*see schedule 1 at page 1931*]. I am very pleased that the government has signalled its intention to approve my amendments. Briefly, I think it makes so much sense that propagation is at least as important as supply. This amendment inserts the word "propagation" in all the instances I have detailed in that list of numbers.

For instance, it will amend the legislation that where "supply" is mentioned the word "propagation" is also mentioned. The aim of this is to strengthen the act. I refer again to the case I mentioned the other day—bearskin fescue—which highlights this point of the case. The information again comes from the World Wildlife Fund report that, of course, we are all leaning on quite heavily today.

In 2003 bearskin fescue, which I think is a wonderful name, was imported by a large wholesale nursery located in Victoria. They set up the process of propagating it. In November 2004 the species became available for sale in the eastern states and is even being promoted for water-wise gardens.

This I think points to the kind of problem we can get when we have tunnel thinking in relation to a number of the concerns that confront us as a territory. We are concerned that people have gardens that reduce their reliance on our potable water supply, but are the people promoting that talking to the people who are making sure we reduce the potential for weeds to grow here? That is probably a bit of an aside, but I felt the point was well worth making.

Western Australia did a risk assessment on this plant earlier this year, which found it had significant potential to become an environmental and grazing weed. These amendments will mean that, once a plant is declared a prohibited pest plant, it will become an offence to propagate it as well as to supply it.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (12.16): I thank Dr Foskey for these amendments. As I indicated, the government is happy to support them. The government believes the amendments are quite appropriate. They certainly support and, I believe, enhance the policy outcomes the government was seeking to achieve in controlling the introduction of pest plants.

MRS DUNNE (Ginninderra) (12.16): I would like to echo the sentiments of the Minister for the Environment. I think Dr Foskey's amendments improve the legislation, and the Liberal opposition will be supporting them.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Long Service Leave Amendment Bill 2005

Debate resumed from 10 March 2005, on motion by **Ms Gallagher**:

That this bill be agreed to in principle.

MR MULCAHY (Molonglo) (12.17): As members are well aware, long service leave used to be a reward. It was an expression of appreciation for long service with a particular employer but has now evolved to become an entitlement enforceable by law.

Instead of strengthening the relationship between long-term employees and the firm with which people are working, Labor's approach is always to bring about compulsion, to strengthen a division and indeed, in some respects, fuel disharmony between employer and employee. They certainly seek, in my view, to preserve and promote adversity. Reducing the threshold for loyal service will certainly encourage people to move on and, in my view, contributes to higher turnover.

This bill is more of a reflection of that ideological view which, sadly, is so readily embraced in this territory. The bill sounds superficially attractive. It reduces the qualifying time for long service leave from 10 years to seven years of continuous service; it provides for an employee to become eligible for additional long service leave for each five years of service completed after the first seven years, instead of 10 years; it deems that a worker who works for the same employer on a seasonal basis—that is with seasonal breaks—has not had a break in employment and therefore qualifies for long service leave; and it maintains long service leave entitlements for a person who has left an employer and returns to the same employer within two months.

The purpose of the bill, according to the minister, is to bring long service leave in the private sector into line with benefits already enjoyed by ACT public sector workers. The real reason, however, in my view is the necessity for the minister to deliver bounty to the union movement in return for delivering her Labor Party preselection, and for her to shore up support at the next election. The bill is another impost in an increasing list of

measures by the government to benefit its supporters at the expense of employers in the ACT, albeit at not cost to itself.

Ms MacDonald: You're running scared, aren't you?

MR MULCAHY: Ms MacDonald interjects and says, "You are running scared." I am not running scared but I know that the business community of Canberra is running scared. I have sensed it with the volume of response I have had in the last few days. They labour repeatedly with measure after measure designed to adversely affect their businesses and add the costs on.

Of course, all these ideas are dreamt up by people who have absolutely no idea what the real world is all about. They have enjoyed the privilege of union officialdom; they have enjoyed the privilege of living off the public purse. The prospect of ever having to deal with a profit and loss statement or balance sheet and meet a payroll is simply beyond their life experience.

In fact, there are many people in the city—and they are the ones who contribute the taxes that are spent so gleefully by the government—who live with the cost of these measures. When these measures are brought in, to business people they mean yet another burden.

I know Ms Gallagher is an enthusiast for these reforms and probably wants to be recognised as a pacesetter in the Labor movement in Australia because this is a unicameral Assembly with an absolute majority. But she does not realise that, when she puts more and more pressure on those businesses, people reach the point where they say, "Look, the costs are such that we will have to let people go and keep our costs within reasonable margins of error"—or, as we heard on the ABC this morning from the chief executive of the property council, people start moving out of town.

They go to Queensland where, despite the Labor government being in power, Premier Beattie maintains a measure of sense in his dealings with business. I would counsel the ACT government to move away from this ideological push and look to what the Queensland government does. They do not run a permanent war with employers. They have the view that employers contribute taxes—and those taxes of course are available to support the needy and to support vital and essential government programs.

In this territory, we want to try and prove that we can do things a little more radically than the rest of Australia. As a consequence of that we see a situation where people belittle the territory and treat us with less than serious regard. I hear it as I travel. I hear it from people in the federal dimension in this town, who shake their heads at what we do here. I find it regrettable that yet another cost is going to be imposed on the businesses in this city that are creating the jobs, the revenue and the taxation to support the largesse that we see opposite.

The bill is another impost in an increasing list of measures by this government to benefit its supporters at the expense of employers in the ACT—but of course at no cost to itself. It represents another step in the erosion of the ability of private sector employers to be competitive with businesses outside the ACT because of the increasing burdens placed upon them with no offsetting increases in productivity.

Productivity is something the minister does not know too much about and does not want to know. As we saw several months back when those agreements were negotiated, it is her view that you hand out wage increases but you must never ask for offsetting advantages to the people in Canberra, to the ACT taxpayer, in terms of more and higher quality services or having those services delivered in a more efficient way.

In the rest of industry and the rest of Australia—and indeed, many of the trade union officials that I know are quite comfortable with the concept—you extend a pay increase but you get productivity gains. The minister is on the record as saying that means lowering people's standard of living. It is not what I have seen.

I have seen in the hospitality industry meals sometimes picked up by employers on the weekend, or various measures extended to staff. That is something this government does not believe in, because it is not their money they are playing with. Their view is: spend while we are in control—but I suspect that era is going to come to an end in 2008.

As part of the whole process of offering largesse to the union movement, the other part of the equation that is also a foreign word is efficiency. It is not something the minister takes too much notice of. I know the Treasurer struggles—I feel sympathetic towards him because he fights desperately—to keep control of the costs, but the rest of the team say, “Don't worry about it, Treasurer; we are going to spend—we are going to impose more costs on business.” As the one person over there who has a bit of an appreciation of private sector experience, I imagine he sits there asking, “How on earth are the business people going to stay in this town if we keep creating conditions of employment that make them uncompetitive?”

We are hearing more and more about competition in Australia and the need for us to be world competitive. What do we do? We try and dream up measures that put the ACT business community behind the eight ball. The minister has no idea what these things will cost. They never look at them too closely because they do not want to know what the answers might be.

Ms Gallagher: Well, what are the costs?

MR MULCAHY: The minister cannot deny that wages in the ACT are heavily affected by the ACT government.

Ms Gallagher: Can't answer it?

MR MULCAHY: I am not sure what the question was.

Ms Gallagher: What are the costs?

MR MULCAHY: I cannot hear you amongst the shouting of your colleagues. The fact of the matter is that, with wages growth in the public sector, if they become pacesetters in conditions and rates of growth, they will in fact hurt the overall ACT economy.

I do not stand here and defend the commonwealth government, because I think they have a bit to account for as well in this territory. My concern is for the people who generate

the tax revenues and create the employment in the ACT. They are the people we ought to give first regard to.

It is interesting that in this territory—and we will talk a little bit more about this this afternoon—in 2003-04 government employee expenses increased by 30.4 per cent over the previous year. I do not think the inflation rate is like that; I do not think it is even at that level in Argentina anymore. They have run from \$963 million to \$1.256 million.

That massive blowout places enormous pressure on the private sector in trying to compete for workers. We hear about skills shortages. If there is some doubt that this is just Liberal rhetoric, I would urge the minister to sit down and talk to people like the Canberra Business Council, and the various other employer groups that are on her various advisory groups, and get an understanding of how hard it is for them to recruit people in this city because of the pressure placed on them by governments who want to become pacesetters in conditions and wages.

The government needs to be conscious of the impact of its actions on the ability of the private sector to create jobs and create opportunities. The minister for economic development says he wants to make Canberra the most business-friendly place in Australia but, of course, the actions of his colleague from the left make Canberra distinctly unfriendly.

I quote the Minister for Industrial Relations. She said, “This bill will put the ACT at the forefront of every other jurisdiction.” That is, of course, code for putting the ACT private sector at a clear disadvantage to interstate competitors. It makes the term “business-friendly” nothing but a hoax. It is tough enough in this country competing with imports from other lower cost markets. We have talent in this country. If we price our people in this town out of business—

Mr Gentleman: What’s the price, Richard? How much is it going to cost?

MR MULCAHY: —competitors in other parts of Australia will invariably capture business opportunities. Mr Gentleman is dismissive of the price of increasing the cost to employers because he does not have to deal with this problem. It is all these measures they keep bringing in, and we have been signalled that there are more coming. At the end of the day people reach a point where they say, “Look, it’s better to do business elsewhere; move the shop into another place.” Even in the other Labor states they are more sensitive to the needs of the business community.

The bill will impose costs on the private sector due to more workers gaining access to long service leave entitlements because of the shorter qualifying period. Although a smaller point, there is a possibility of overpayments to workers, who have collected a pro rata long service leave payment, continuing employment and then resigning, which would mean, under normal circumstances, the foregoing of those entitlements.

The opposition rejects this bill outright on the grounds that it will increase business costs and damage the capacity of business to compete, grow and provide employment. Moreover, we would urge the government to move beyond its cringing obedience to union masters, to behave more like a government and instead be interested in the wellbeing of all Canberrans—to recognise that, in the latest figures published, only

18 per cent of people in this city are now members of the trade union movement. Let us move on. You know, the Tolpuddle Martyrs case is behind us. Things have moved on—people speak up for themselves.

Let us make our primary objective economic growth in Canberra. If we can get economic growth here on a strong footing, we will avoid these massive budget deficits that are being imposed on us because we will have productive income and taxation; we will be able to support the needs of those who are seriously disadvantaged; and we will be able to offer people good government and an attractive environment.

We are competing for business. Every government in this country is competing for business, as are overseas markets. We must have the edge but instead we drag our feet. We trek along to these meetings with Labor ministers around the country, and we are the last to move.

We are the last to move on the business tax reform agenda but with industrial relations—I will give the government credit for that—they are at the forefront with imposts on business. Their colleagues in the other states talk to me, even, and shake their heads about the punitive measures constantly advanced in this territory.

This is a regrettable measure but I know the government's numbers will ensure its successful passage. In concluding, I would ask that the business impact statement, which I hope was done in relation to this legislation, be tabled. I will certainly be keen to hear what the minister has to say with regard to the projected cost impacts on business.

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

Sitting suspended from 12.30 to 2.30 pm.

Questions on notice

Statement by Speaker

MR SPEAKER: Yesterday, at the conclusion of question time, Mrs Dunne sought to move a motion under standing order 118A in relation to an explanation as to the delay of an answer to question No 229, which had not been answered within 30 days, as required by the standing orders. At the time I ruled that Mr Corbell had made an explanation and therefore Mrs Dunne was not able to move a motion that Mr Corbell had not given an explanation pursuant to standing order 118A (c) although, at the time, in the context of that ruling, it would have been open to Mrs Dunne to move a motion pursuant to standing order 118A (b).

As I said in the house this morning, I have reviewed uncorrected proof *Hansard* and I have had a look at similar instances in the Senate—although not strictly related to this particular point, they are useful in consideration of the matter—and of course earlier debates in this place. As a result, I have reviewed my ruling of yesterday. A closer examination of standing order 118 suggests that ministers need to give some indication as to why an answer was delayed, otherwise members will have access to standing order 118A (c). I will rule that way in future.

Questions without notice

Health—public services

MR SMYTH: My question is to the Minister for Health. Budget paper No 4, output 1.4, public health services, shows that the total cost for public health services in the 2004-05 budget was \$23.3 million. The budget for 2005-06 shows a reduction of \$2 million to \$21 million. The government payment for output mirrors this cut, dropping from \$21 million to \$19 million. Minister, why are you cutting public health services by \$2 million?

MR CORBELL: The government is not cutting public health services. In terms of the detail of the adjustment in the budget figures, I am happy to take the question on notice and provide a detailed answer to Mr Smith. However, I should clarify to members that there is no reduction in public health services. The key functions of public health services, health protection services, in the ACT will continue because they are important services and ones that the government is committed to maintain.

MR SMYTH: I have a supplementary question, Mr Speaker. Minister, will you guarantee that this cut will have no negative effect on the integrity and supply of blood products in the ACT?

MR CORBELL: Yes.

Planning—City West development

DR FOSKEY: My question is to the Chief Minister. On 21 December 2004, the ACT government announced that it had signed a deed of agreement with the Australian National University regarding designated areas in the proposed City West development space. To date, we are still waiting for this deed of agreement to be tabled in the Assembly and made public. We have not yet seen ANU's plans for the area. In the media release related to the deed, you said:

The rights of existing lessees will be protected completely and community groups in the area will be well catered for.

However, since the announcement of the ANU deed of agreement, the recommended final variation to City West has been referred to the Planning and Environment Committee for consideration. An outcome has not yet been reached by the committee.

This week, homeless constituents of the City West ROCKS area made my office aware that they had received a notice stating that buildings in the area would be demolished from 23 May 2005. The buildings in question are on the corner of Hutton and Childers streets.

What I would like to know is: how is it that buildings in the City West area are already in the demolition process when the ANU's and the ACT's plans for the area have not been tabled in the Assembly, or made public, and the recommended final variation for City West has not yet been scrutinised by the Planning and Environment Committee?

MR STANHOPE: It is the case that the deed of agreement has been signed, certainly by the ACT government, I have to say. I am not aware of the final process in relation to its formal execution by both sides. I will have to take further advice on where the deed of agreement is in that process. It has been, I understand, if not executed, then agreed by me to be executed. I will have to follow up on exactly the final form or status of the deed of agreement.

It is the case that that does formalise an arrangement between the ACT government and the Australian National University in relation to the progressive development of a number of sites within the broad City West area. As we are all aware, the Minister for Planning and ACTPLA have, over a significant period of time, now been engaged in the development of and consultation on the formalising of a master plan for City West. During that period there has been extensive and exhaustive consultation with the community at large and, indeed, with each of the resident or constituent groups with a stake in the City West area.

There has been no shortage of consultation with all of the occupants of sites within City West at any stage of the City West master plan process. That is my understanding in relation to the progression and development of the deed of agreement and the arrangement between the ACT government and the Australian National University for the development of what will be, I think, a most exciting and enhanced part of the ACT.

I cannot answer the specific question in relation to the processes that were followed in relation to the demolition of some old and, I would think, unsafe buildings off Lennox Crossing. It may well be that they are being demolished as part of an alternative or other process that has nothing to do with the arrangement between the ANU and the ACT.

Let me just conclude by indicating that the budget tabled this week by the Treasurer includes \$6 million for a substantial upgrade of Childers Street. This is part and parcel of the revitalisation of that vital part of the city centre. It is at the heart of the process which the government has employed and has been following in relation to our determination to make Civic the genuine heart of the city. It is a process that has been in place from the minute we came to government and it has been pursued quite vigorously by the Minister for Planning and by his officials.

DR FOSKEY: I ask a supplementary question. What provisions has the ACT government made to ensure that the homeless people sleeping around the buildings to be demolished for the arts and community organisations already in the area or which have been promised space in the area will not be unduly affected by the upcoming demolition?

MR STANHOPE: I will ask the Minister for Planning to take that specific question.

MR CORBELL: I thank Dr Foskey for the question. The government has indicated to all of the community organisations in the ROCKS area that they will not be arbitrarily relocated without future arrangements being made for their future accommodation needs. Indeed, part of the work that is ongoing between the ACT government and the ANU at the moment is that, as part of any redevelopment or development proposals the ANU has for the City West precinct, we will seek to have community space potentially located in developments that they put forward as part of redevelopment of the City West area.

In relation to the demolition of buildings, as the Chief Minister has already indicated, I am not aware of that notice, but I have now asked my office to make inquiries as to what the situation is. Certainly there is no intention to disrupt the operations of existing community organisations. Community organisations will not be left without accommodation, and that will be managed through an orderly process as that area is progressively redeveloped.

Economy

MS PORTER: My question is to the Minister for Economic Development. Minister, would you be aware of a report from Australian Business Limited titled *NSW Mid Term Report Card* released earlier this year? What does that report say about the relative competitiveness of the ACT compared to the other states and territories?

MR QUINLAN: Thank you, Ms Porter, for the opportunity to inject some objectivity. I am sure the Assembly will appreciate some objectivity, which is bound to be in very short supply, very soon! I just happen to have in front of me a copy of “Sensis and Australian Business Limited benchmark of state and territory government costs and regulation”. I will read a couple of paragraphs:

During February 2005, Sensis, in conjunction with Australian Business Limited, undertook a survey of 1,800 Australian businesses regarding the ease of doing business in each State and territory.

1,800 small and medium sized businesses were asked “Taking into account your State/Territory Government costs and regulatory system, how easy do you find it to do business in your State/Territory, on a scale of 1 to 10, 1 being extremely difficult and 10 being extremely easy.

The average, over the states, came out at six. The highest achieved by any state or territory was 6.6: the result achieved by the ACT. That is well above the 6.3 achieved for the nearest state. This is an objective assessment by a business organisation. In post-budget debate and discussion, there will be a whole lot of references made to the flight of business out of the ACT and how hard it is to do business in the ACT, but here is objective evidence of the relativity of the ACT versus the other states and territories. I think it clearly demonstrates that the policies of this government are working—the policies of this government on working with small business; and the policies of this government in fostering small business and building more small businesses and more smarter and more innovative enterprises in the ACT. I think that is one number that should be recalled through the course of today and through the debate that may follow in this place over the next day or two.

MS PORTER: Thank you, minister. Are you aware of any other evidence that points to the growth of the business sector in the ACT?

MR QUINLAN: Those who were here during the last Assembly would have heard Mr Smyth, when referring to some ACT small business statistics, doing what the opposition has come to do regularly, that is, talking down our economy, putting out press releases—got a copy here—saying “1,500 put out or gone from the ACT, an absolute sign that business is not going well in the ACT.” Of course those statistics from the ABS

are published with a caveat in relation to their statistical viability. They talk about a degree of “standard error”—that’s statistical talk, Brendan—and say that there is a wide range of standard error that might occur within those statistics. They did show with all the warnings that there had been a decline in the number of home-based businesses in the ACT. Well, guess what? Of course, there has been a further report and what we now see, according to these statistics, is an increase in home-based businesses. I do not think they should necessarily be taken at their word but Mr Smyth does—insisted on it—and did the school yard equivalent of a tizz, tizz, tizz for a couple of days in this place.

Those figures show an increase of 3,500 businesses over the last year but that, of course, is coming off the very low base. But Mr Smyth rushed out to the public, ignoring the warnings of the Australian Bureau of Statistics because they did not suit, with the typical selective use of facts and data, as opposed to the facts. It is important, when you look at the figures from 1995 onwards, to note the increasing rate of business development. In the line of best fit, you will see, in recent years, a dramatic increase in the number of small businesses in the ACT—not with the raw statistics, because there are caveats on those; and caveat is in the dictionary—and that there has been continued growth of small and micro businesses in the ACT.

I am really surprised that Mr Smyth did not put out a press release on the improvement and say, “This is good.” He could have found an excuse for it: he could say that he did it before or that he set up the fundamentals or something but, no, somehow he missed it all together. Typically, over the next few days of debate in this place, bad news will be selectively used whenever possible. I warn those of you with open minds to be careful of the numbers and the predictions you will hear in the debates in this place in the next few sitting days.

Public housing

MRS BURKE: Mr Speaker, my question is to the Minister for Disability, Housing and Community Services. Minister, on ABC radio this morning you confirmed the ALP’s election 2004 promise to expand the stock of public housing by injecting capital funds of \$10 million per year for the next three years. You also said that these figures were announced in last year’s budget and that they appeared in the outyears. Is this promised additional funding appropriated or non-appropriated new works? Why has it not appeared in the 2005-06 budget papers?

MR HARGREAVES: I think the Treasurer has just alluded to the way in which the opposition selectively pulls out figures and just uses them. They never ever come up with a complete picture. It is true that \$52 million will be spent on housing in the 2005-06 year. It is true that there is \$117 million recurrent in housing ACT. It is also true that we are changing the nature of dwelling purchases from the standard three-bedroom house on a quarter-acre block, which used to be the case, to now trying to do best fit for people.

There are people who require multiunit dwellings around town centres. It is true that we have introduced a whole range of crisis accommodation services. We have supported the crisis/emergency accommodation service and we have included support for the YWCA to undertake some crisis accommodation for families.

Mr Smyth: It is really simple, John. Did you appropriate the money?

Mr Seselja: He broke the promise.

MR SPEAKER: Mr Hargreaves has the floor.

MR HARGREAVES: Thank you, Mr Speaker. It is also true that we have had conversations with people most affected by accommodation issues; we have had conversations with tenants and with tenant advocacy groups; from time to time we have conversations with the real estate institute and, in fact, we have conversations with the community. What we do not do is wander through budget papers in a bout of insouciance trying to find a figure to trip people up with.

This government has a concern about accommodation for people. I have no difficulties at all in telling the Assembly about the \$52 million that is in here. I have no difficulties at all in telling this chamber that, over three years, this government has put \$200 million into the sector. All I can say to Mrs Burke is: keep trying; keep fishing; and I wish you the very best of luck.

MRS BURKE: Mr Speaker, I have a supplementary question. Minister, if it is appropriated funds, why has it not shown up in budget paper 4 on page 323 under the 2005-06 capital works program, spread across the outyears? If it is non-appropriated funds—if this funding is to be financed by Housing ACT by its own sourced revenues—why did you not indicate that it appears on BP3 under non-appropriation new works 2005-06 for housing on page 215? It is either non-appropriation or appropriation. Which is it?

MR HARGREAVES: If Mrs Burke wants to have accounting lessons in what goes in and what comes out, she can contact the Treasurer's office. They are quite happy to tell her what is going in and what is going out of budgets. She can also have a lesson in how the budget papers are constructed. I am not going to fight Mrs Burke by having page numbers at 50 places.

Education

MR GENTLEMAN: Can the minister for education quantify and explain the Stanhope Labor government's commitment to education over the life of the government?

MS GALLAGHER: It gives me great pleasure to outline to the Assembly the Stanhope government's commitment to Australia's best education system, as recently demonstrated in the ACT budget of 2005-06. This ACT government has invested in the ACT education sector not only so that it maintains its place as the best education sector in the country but also so that education becomes the real bridge from disadvantage to greater opportunities and success in later life. We make no apologies for putting student equity at the top of our priorities, ensuring that we have a fair school system that distributes the education dollars to those with greatest need.

This government has always stressed that public education is not only about schools and classrooms but also about school communities, which provide ongoing support and

learning opportunities for their students and are able to involve parents and teachers in the learning process. We have consistently said that a measure of how well our community as a whole is travelling is how well our public schools and students are performing.

This government has not sought to defund public education, nor for that matter the private school sector, which operates on the basis of public, private and parent funding. Rather we have invested more heavily in our education infrastructure than any previous government in the territory. Since the 2001-02 financial year we have invested more than \$80 million in education. This year alone the government has \$24 million in new and continuing initiatives in ACT schools.

Our record has been built from a systematic engagement with education in the ACT, first through the Connors inquiry into education funding, and subsequently through our curriculum renewal project. We continue to invest in a better understanding of our schools and their issues through the SCAN process, which has now evaluated the disability needs of individuals in public and private schools.

We have prioritised the early years of learning, with this budget delivering on our major commitment to increase preschool hours from 10½ hours per week to 12 hours per week. Our public preschools are an important and unique part of Canberra's school system. This commitment will mean that the ACT will lead the way in investing in early learning. It will be complemented by our existing initiative to lower class sizes from kindergarten to Year 3. Almost \$6 million in new initiatives has been delivered by this government to improve the educational and learning opportunities for Canberra's youngest students.

The government has invested in a meaningful school experience for all students through a doubling of the schools equity fund and the creation of new student support funds. These essential equity measures enable kids from disadvantaged backgrounds to participate fully in their education, without family budgets being stressed to breaking point. We have also increased funding for students with disabilities across the education sector, with funding now based on a genuine analysis of need.

We have ensured that our schools have the very best ICT infrastructure, with the interactive whiteboard roll out set to continue with funding through last year's second appropriation. We have upgraded ICT capacity in government and non-government schools in need through the 2002-03 budget and rolled out broadband for non-government schools.

High schools, colleges and vocational education have also been recipients of new programs to meet the challenges in their sector. The government will be working with these areas over the next three years to continue the good work.

The work of this government is delivering students who are active participants in their communities and talented young people ready to make a contribution to our growing economy. By getting the foundations right, this government is delivering an education system capable of meeting the needs of students and the challenges facing our Canberra community.

MR GENTLEMAN: Mr Speaker, I have a supplementary question. Minister, how do these initiatives support children and teachers to achieve their best?

MS GALLAGHER: As I have mentioned, this government believes fairness and equity should always underpin our school system. I have mentioned before in this chamber and in public that ACT students perform at the highest levels, achieving excellence in all fields. Our latest ACTAP scores demonstrate that the ACT continues to lead the nation. Our schools excellence initiative provides an overarching framework in developing student learning, innovation and best practice in ACT schools.

Students are achieving high standards in reading, writing and numeracy. In Year 7 alone, reading results went from 91 per cent above benchmark in 2002-03 to 95 per cent above benchmark in 2004. Our students continue to achieve excellent results in writing, with results in 2004 comparable to those in previous years.

Students in the ACT have performed at a high level in numeracy, with 95 per cent of Year 3 students and 92 per cent of Year 5 students above benchmark in 2004. The results for Year 7 students against the numeracy benchmark are of concern—we admit that—being lower than those in reading and writing. This is a nationwide trend and the ACT results from 2001 to 2004 are among the best in the country.

These results and the great performance of ACT students have been reinforced internationally. The last PISA figures show ACT students in the same ballpark as students from Singapore—which maintains arguably South East Asia's best education system—and Hong Kong. The PISA study looked at a mix of schools; however, in the ACT, public schools predominated. Recognition from this international study is a great achievement for the students and teachers of Canberra's schools.

The valued teaching and support staff of ACT schools continue to be supported with fair rates of pay and excellent working conditions. They are supported through professional development opportunities and the refurbished facilities at the relocated centre for teaching and learning, an ACT government facility that provides a comprehensive library service, professional development opportunities and other facilities to improve teaching and learning resources for all teachers.

The work of the ACT government, in partnership with school communities, is delivering an excellent education system, which responds to the needs of students as individuals and supports them appropriately. The ACT government does not seek to create a one-size-fits-all education sector, but has worked towards an education sector that delivers.

It being 3.00 pm, questions were interrupted in accordance with the order of the Assembly.

Appropriation Bill 2005-2006

Debate resumed from 3 May 2005, on motion by **Mr Quinlan:**

That this bill be agreed to in principle.

MR SMYTH (Brindabella—Leader of the Opposition) (3.00): Mr Speaker, you were lucky enough to be there on Tuesday evening at the Chamber of Commerce and Industry budget briefing, which was sponsored by the Frontier Group, and I think you were very lucky because Mr Quinlan started his presentation by reading from the *Canberra Times* horoscope of the day. I just thought I would let people know where Mr Quinlan puts his trust, because it goes like this:

The financial representation of others will not always be what they seem, but you have the ability to determine the truth of the situation during May 3, 4.

Unfortunately for Mr Quinlan, it is also my star sign, and I have taken the opportunity to determine the truth of the situation during 3 and 4 May. I will now reveal the truth of the situation to the Assembly.

It was on Tuesday that the ACT Treasurer brought down his government's budget for 2005-06, and it was a disappointing day for the ACT. As predicted, it was indeed a horror budget—not so much for what it contained, although that was bad enough, but also for what it did not contain. It had no imagination; it contained no innovative approaches; it had no decisiveness; it held no answers.

What it did contain was a message of forlorn hope—hope that if we wait and sit with our fingers crossed things will improve. How pathetic! Unfortunately for the ACT community, this budget was more than a horror budget; it was a budget of failure—failure that has characterised this government's decisions and activities over the past three years or so. The disappointment is that the ACT community had to experience such a budget at all at a time when economic conditions are generally good.

Let me remind you of a commentary on the state of the ACT economy made towards the end of 2004:

In its first term, the Stanhope Labor government's business and economic development policies have contributed to a thriving ACT economy.

That is a quote from the Treasurer's budget policy for the 2004 ACT election, made only six months ago. What a surprise! Let me repeat. The Treasurer of the ACT said that the ACT is a thriving economy.

So what has gone wrong? Why, when the ACT economy is apparently doing so well, are we facing a deficit of \$91 million, that is, an actual turnaround of \$143 million; the loss of more than 260 public service jobs; higher rates; and poorer health services? The answer is easy. We have seen three years of very poor budget strategies pursued by this government as Jon Stanhope and his ministers have spent as if there is no tomorrow, while they have ignored important budget fundamentals. The net result of these poor strategies has been that the ACT government has not been properly prepared for the eventual slowdown in the level of economic activity—a slowdown which we are now experiencing, at least in the housing sector, and which we all knew had to eventually arrive.

What have we got from a government that tried to convince the community that it had all the answers to economic management? We have a graffiti blue budget, for a start. But

more than that, with the first hint of a difficult circumstance approaching, we have cries of doom and gloom. With the first hint of a problem, what did we get from this government? Panic. We had the Chief Minister running around saying that we needed higher taxes and cuts to existing programs, and we had the Treasurer crying the same message but adding that public sector jobs had to go.

This response simply demonstrates how ill-prepared this government has been to tackle the inevitable slowdown and to seek sustainability; presumably despite all the best advice it had been given. From my perspective and that of the Liberal Party, all we can say is that this is exactly what we have predicted over the last two budgets.

Let me review some key comments that we made in our budget replies in recent years. Last year I said in my reply that the 2004 budget was a budget that had squandered the opportunity to secure Canberra's future and to show leadership. I also analysed the extraordinary increase in expending that this government had incurred to that point and commented that it was the most profligate budget in the territory's history.

More than that, however, is what the *Canberra Times* had to say in its editorial comment about last year's budget. It said that this government's 2004-05 budget was a "budget of missed opportunities". We are now to pay, as a community, for those opportunities lost. Let us put this in simple terms for the government. The government's budget strategy has failed.

What did I say in 2003? I said that the government had overspent its budget estimate for 2002-03 to the tune of \$233 million. That was another warning I gave this government about its inability to control its spending and about its overall budget strategy. Of course, we are only the opposition. But even now, with majority government, this still does not devalue the comments that we have made in our responses to previous budgets.

Let me summarise the failed economic performance of this government over recent years, with seven areas of failure or the seven deadly sins of unchecked government fiscal policy. The first is profligacy. This government has blown its expenditure by a staggering \$685 million over four years. Yes, \$166 million in the 2001-02 budget, \$153 million in the 2002-03 budget, \$282 million in the 2003-04 budget and \$84 million in the 2004-05 budget—a failure of control over spending.

Secondly, the revenue boom. This government has not used wisely the unexpected boost of \$718 million that it has received in additional revenue—a failure to husband the community's resources. Thirdly, capital spending. This government has been unable to manage its capital budget efficiently. It has consistently and substantially underspent the capital works budget—a failure of management.

Fourthly, infrastructure. This government has apparently not considered the long-term implications of developing and funding major public assets—a failure in project assessment and evaluation. Fifthly, revenue proposals. This government has proposed a number of very inept and prospectively very inefficient and costly proposals to raise additional revenue: parking space tax, loan security tax, city heart tax—a failure of policy development.

Sixthly, taxation initiatives. This government has not utilised the additional revenue received from the GST to rationalise the ACT's mix of inefficient taxation measures—a failure of taxation policy. Seventhly, bushfire recovery. This government has not taken advantage of opportunities to gain assistance in funding the bushfire recovery activities—a failure of will and of action.

What does that all add up to? Failure. Complete, total and absolute failure by this government to implement consistent and appropriate budget strategies. What is really disturbing is that this failure has been a repeat offence over a number of years. Of course this government knows all about repeat offenders.

Mr Speaker, I set out a few moments ago the extent of the overspending by this government in each of the past four years. The total of this overspending was \$685 million. This complete inability to control spending translates into an additional average spend each year of around \$170 million, and that is quite an error between planned spending and actual spending. This is not because of the Treasurer's errors in estimation; I suspect he got those right, although there are some that he did not. This is consistent overspending that represents conscious decisions made by this government to abandon good economic policy.

It represents bad judgment, and for many of us the profligate years of various Labor state governments around Australia in the 1980s and the 1990s are still strong in our memories and the memories of those communities. Equally strong in our memories are those drastic actions that had to be taken by all subsequent Liberal governments to repair the damage that had been done to these state economies. There is a simple outcome of profligacy: heartache and difficult decisions, and that is what will be required after this Treasurer's fourth budget.

At some point, the day of reckoning arrives, and even governments need to be brought to account for inappropriate spending decisions. The tragedy from the perspective of the Liberal Party and indeed the ACT community is that we can see this awful pattern being repeated and the prospect of the Liberal Party, when next in government, having to repair the damage to the ACT economy, as we had to repair the damage from Labor's legacy of a \$344 million deficit in the mid-1990s.

Perhaps we should talk about deficit budgeting. Perhaps the most critical issue with this year's budget is the proposed deficit of \$91 million—\$91 million in the red. Last year, I questioned the orthodoxy of governments budgeting for deficits at times of economic prosperity. Members will recall that the Stanhope government budgeted for a deficit in 2003-04, and it has done so again for 2005-06.

When I analysed the government's decision to budget for a deficit, I questioned why a deficit was necessary in the first place. I also wondered whether this Treasurer had any idea what implications arise from budgeting for a deficit. Deficits, of themselves, are not necessarily unusual. Many of those who are students of budgetary economics will understand that deficits are used at times of economic downturns or, even if they occur, times of economic depression.

Deficits are used at these times to prime an economy—a government literally pumps resources into the economy to build up and maintain satisfactory levels of economic activity, until such time as the broader circumstances of the economy improve. Clearly, therefore, deficits are used to provide a stimulus to an economy when that economy is not performing strongly.

Let us apply that test to the ACT economy. Our economy is performing strongly. The government has told us so. The Chief Minister told us so in a speech to the Labor Party faithful in the middle of last year; the Treasurer told us so in the lead-up to the 2004 ACT election. Indeed, as late as Tuesday of this week, the Treasurer said, “The ACT economy is strong, growth is continuing.”

What do these comments from our own ACT government tell us? They tell us that the ACT does not need priming. Our economy does not need the government to pump further resources into it. Our deficit does not need to be \$91 million, because there is sufficient momentum within the ACT economy at present to provide an appropriate level of activity in output and employment. Put simply, deficit budgeting at the top of the cycle is a farce.

There is an even more serious concern about the government’s budget strategy for next year, however, and this is the prospect of the deficit being larger than forecast. I would like to put it to you in perspective. What we already know is that we have a funding gap of more than \$20 million in health. We have concerns about whether funds will be needed for investment in public housing. We have now got limited capacity to respond to emergencies, and recurrent spending for the prison does not appear—to name just a few. From our perspective, I am extremely concerned about the future budgetary position of the ACT.

Mr Speaker, unfortunately for the ACT community, the experience of the mid-1990s and the proposed outcome of this latest budget appear to be the reality of the way Labor governments manage economies: spend, spend, spend, with little regard for the consequences. It certainly is the way this government is managing the ACT economy. Of course, this government will engage in all the rhetoric to suggest that all that it has done has been correct. Unfortunately, that is not the case, and there have been many warnings that this would be the outcome.

Consider the comments made by the ACT Auditor-General in her report on financial audits for 2003-04, where she says:

The projected “in balance” [budget] results mean that the Territory is vulnerable to significant deficits should there be negative fluctuations in revenue and expenses from adverse events.

The auditor also provides a salutary warning about the territory’s long-term financial position when she says:

[This] is expected to decline rapidly over the next few years with the expected shortfall [that is, an excess of liabilities over assets] increasing by \$658 million [by 2007-08].

As our analysis of the current budget shows, this government has not taken into account the impact of increases in health spending or the operating costs of the prison in the outyears. There are significant instances of the way in which the ACT's financial position could deteriorate.

Let us also consider some recent comments made by that most respected economic commentator Access Economics. In their *Business Outlook*, released in January 2005, Access Economics said:

The ACT is now on the wrong side of some key longer term historic trends.

Let me repeat:

The ACT is now on the wrong side of some key longer term historic trends

The outlook for the territory's economy is not as rosy as the government would have us believe, and the independent and unbiased opinion of the territory's auditor and the opinion of highly respected independent economic commentators support that view. The economic outlook for the ACT is starting to look less positive, and it is this government's policies that are to blame.

The only reason this government has escaped the consequences of its own poor decisions has been the strength of both the ACT and the Australian economies over recent years. It has been able to ride on the coat-tails of a boom in revenue to promise everything and to fund everything from current revenue, even when this has meant that clearly incorrect decisions have been made. It also recognises the strength of the ACT economy that was left for the Stanhope government when it came to office in October 2001 after the former Liberal government, I might remind people, had spent many years overcoming Labor's legacy of an operating loss of \$344 million.

Where are we today? What legacy has this stunning failure of economic policy left for the ACT community? Let us take a look at this year's budget. First, I think we should look at page 97 of budget paper No 3. Those who have it with them will see that, if the budget is not confusing enough to so many people, we have the government completely confused about whether this budget relates to 2005-06 or we are actually trapped in 2004-05, as all of that page relates to the 2004-05 budget and forward estimates—just another example of the sloppiness of this Treasurer!

What is in this budget for the ACT community? We have a continued rundown of the community's amenity and the look of the city. We have increased rates bills, by around \$100 a year on average per home. I should add that the effective rate increase typically will be higher in the outlying suburbs where there are more people on lower incomes. So much for the supposed government of compassion! It is hitting those who can least afford to pay. We have new taxes, including the city heart tax. Businesses will have to pass it on to their customers. At the same time, this government will be taxing outdoor cafes at a much higher rate. We have also a reduction in employment in the ACT public sector.

What is in this budget for the engine room of the ACT economy? What is in it for business? A \$4 million cut to Business ACT, an increase in commercial rates of an average \$312 a year, and a \$1 million cut to the critically important tourism budget. I know the Treasurer will say that that not true. I should note, Treasurer, that your budget papers—budget paper 4 at page 418—clearly show that Australian Capital Tourism will have \$1 million less to spend in 2005-06. It goes from \$20,543,000 to \$19,668,000.

We have continued delays in refurbishing or replacing the National Convention Centre, a cut to the budget of the Canberra Convention Bureau of \$100,000, the new tax—the city heart levy—and no relief from payroll tax, and for the community there is nothing in this budget that will assist in their health. Public hospital waiting lists will continue to blow out. There are cuts to mental health; there are also cuts to public health. This is not a business friendly budget, as promised in the white paper. This budget is not a community friendly budget. It is not even friendly for individuals, families or anyone in our community. The combination of additional imposts and reductions in spending in key areas and reductions in service delivery makes it a very unfriendly budget.

Mr Speaker, I want to spend a few minutes considering some of the major policy areas that are dealt with in this budget and, as necessary, suggest how we could deal with the same issues. It is, after all, the opposition's role to examine critically proposals presented by the government of the day, and we will do that. You will hear from my colleagues in the afternoon. In the lead-up to the next election, we will make the community well aware of what our budgetary priorities are and how we will fund those priorities, assuming, of course, that we do not have a legacy of \$344 million to clean up or, to look at it another way, as the Auditor-General has said, a shortfall of liabilities over assets of \$658 million by 2007-08.

Our community's number one priority is health. The policy priority of the Liberal Party in the ACT is health. While this government claims that health is a priority, it is evident that the government has failed to translate that priority into the effective delivery of programs and services. This government has thrown funding at health over four years—\$670 million in 2005-06, a substantial increase from the \$635 million this year and the \$564 million in 2003-04.

But what do we have for an additional \$100 million or so that has been provided to health since 2003-04? We all know the answer, don't we? Longer waiting lists, bypasses for ambulances, bed block, closure of operating theatres for holidays, high-care beds occupied by nursing home type patients, longer waiting times, poor levels of satisfaction, worse value for money, mammograms being sent to Sydney for reading, oncology patients sent to Wagga for treatment, the letter from the Australasian College of Emergency Services now saying that they cannot guarantee the safety of patients, and so the list goes on. This is the area of community interest and concern, and what do we have? A government that simply throws funds at the problems without any sense of how to resolve the problems that exist.

Let me burst a myth or two about the performance of this government in relation to health outcomes. The first myth: the Treasurer, in his budget speech, said:

In 2000-01, our two major hospitals recorded around 63,000 inpatient separations, compared with more than 70,000 in 2003-04. Over the same period—

that is, 2001-02—

outpatient occasions of service grew from 361,000 to 427,000.

That is in the 2004-05 year. This claim is simply not borne out by the government's own figures. Somebody should have read the budget papers. The budget papers show that, for the 2004-05 year, there were only 59,330 cost-weighted inpatient separations, not the 70,000 claimed, and there were 210,320 outpatient services, not the 427,000 claimed. Again, one could say that it is just sloppiness, but one would wonder why they would print these numbers. For the upcoming year, however, the budget expects 61,285 inpatient separations and 219,310 outpatient separations. Both of these claimed outcomes are fewer than the government's claimed figure for 2000-01.

The second myth is the phenomenon of health costs growing suddenly at seven per cent a year and that somehow it is a new thing. It is not. Again, the government's own budget papers show that, in the 2003-04 budget, health costs increased by six per cent. In the 2004-05 budget health costs increased by nine per cent—and we all know we have not met demand—yet in this year's budget, health costs increase by only six per cent. It is quite evident that health costs have been and are growing at predictable and well-understood rates and we must not be taken in by this government's bleating about the impact of unexpected increases in health costs.

Mr Speaker, the way in which we, as a community, deal with those amongst us who suffer from mental health issues is a key indicator of our compassion and our priorities. So, where are we as a community, as a result of this budget, in responding to the needs of people with mental health issues? The answer appears to be that this government is long on words, long on rhetoric, but short on action.

According to the analysis of the patient activity in mental health services in this budget, the target for admitted patient separations is 1,300 in 2005-06. Unfortunately, this target represents a reduction of 120 separations, or more than eight per cent, on the level achieved in 2004-05. Even worse, services to children and young people are set to be cut by a mammoth 15 per cent. So much for a compassionate and caring Labor government! You have to ask where this government's priorities really are and how this government establishes priorities in key areas of public policy.

It is important to give credit where credit is due. This budget does provide additional funding to the early years of education, those oh-so-critical early years. I hope, however, that our very young children, when they emerge from their primary schools, will be able to read, write and count.

What about at the other end of the learning spectrum, the equally important areas of vocational education and training? This is where there are well-established issues about the availability of people who are trained in a range of key trade skills—areas in which there are already shortages of people with appropriate skills. How has this government reacted to these needs? The Stanhope Labor government, according to budget paper 2,

will spend more than \$103 million on vocational education in the coming financial year and, as the papers themselves say:

Compared to the 2004-05 estimated outcome, this represents a decrease of \$2.1 million.

Whoops! Did I make a mistake? Decrease? No. There it is in graffiti blue on page 16 of budget paper 2: this government is reducing resources to vocational education and training. What more can I say? What an extraordinary decision from such a caring, compassionate, consultative government!

Mr Speaker, I do commend the government for boosting funds for disability services, particularly for individual support packages. Minister, well done. The additional \$3 million is very welcome and targets a significant need for a number of families in the ACT. I note, however, that this government has reduced the support it provides, through its community service obligations, to subsidise taxi fares for people with disabilities. Poor old Mr Hargreaves obviously needs some help in understanding community service obligations. Again, I have to ask: where are this government's priorities?

On the one hand, the Treasurer said in his budget speech that the government will enable more people with disabilities to live more independently. On the other, this government reduces the capacity for people with disabilities to do exactly that—to live independently through being able to travel to and from their homes by taxi to receive specialist support, to go to the shops, to visit and to do all the other things that those of us without such disabilities take for granted. This is a mean-spirited decision from a mean-spirited government.

In housing, with a looming underspend of quite significant proportions by Housing ACT, we are prompted to question the commitment of this government to maintaining the quality of its public housing stock. At this juncture it would seem that there could be millions of dollars not spent from the maintenance budget, but you cannot find out from the minister. We are now aware that there could be around \$10 million of missing funds for public housing—an election promise broken.

How could we forget the \$10 million fire safety debacle of a couple of years ago? Has that all been spent yet? I do not think so. I do not think this government has its eye on the ball on public housing, and it will be the people living in public housing accommodation who will suffer.

This budget does not appear to do anything extra in relation to the appearance of the city and its environs, apart from the imposition of a discriminatory city heart tax and the proposed hike in rental fees imposed on outdoor cafes. There appears to be nothing additional in this budget to tackle the increasing problems of graffiti and other vandalism that is rife across the territory.

Of course, it is always the poor old department of urban services that will bear the brunt of the job cuts while we see the Chief Minister's Department has 17 executives out of 217, and the priority project unit in the Chief Minister's Department has four staff and \$2.2 million to spend all on its own.

Transport is a major issue, particularly the Gungahlin Drive extension, a major capital project for which the cost has blown out from \$70 million to \$86 million—what did you say last time, Mrs Dunne?—and for which the residents of Gungahlin will now have to wait until at least September 2007 before they can use this critical road link. It is a shame that the minister is not at his desk because we all remember Mr Corbell's promise. What was it, Mrs Dunne? "GDE will be delivered on time and on budget." The completion date should have been 1 July this year, two months away. Yet again, false hope has been given and bad outcomes have been achieved by poor planning.

Mr Speaker, what a disgraceful outcome we have in police and emergency services. There is no funding for a new headquarters for the Emergency Services Authority, or any upgrade for the current inadequate building in Curtin. We have promises for additional police officers, but they will not be ready for work until 2007. "Would you please hold the line and wait until 2007?" That is two years away. That is not good enough when the need exists now to keep our police stations open for 24 hours a day and to enhance the response capability of our police.

The funding for the joint emergency services centres at Belconnen and West Belconnen has been withdrawn. A key question here for the minister is: how many sworn officers are on duty in the ACT region of the AFP today? I challenge the minister to provide that information.

It is hard to know where the Planning Minister was during the budget deliberations, because he does not seem to have been in cabinet. At a time when the ACT's planning system is acknowledged as one of the most ineffective and inefficient in Australia, what do we have in this budget? Staff cuts! The minister said yesterday, "Somewhere between nine and 11." That would be 10, minister, if you have forgotten the number that comes between nine and 11.

The inevitable consequence of this will be even longer delays in gaining building approvals, associated with increased building costs and increased frustration because of the land regime that this government has put in place. The building and housing sectors need encouragement at present as they experience a slowdown, not more costly delays.

There is a little surprise in the budget for justice. For those of us that have been watching the prison, the cost of the proposed prison is now \$130 million, and rising. The real question is: is that in 2001, 2002, 2003, 2004 or 2005 dollars? Chief Minister, you forgot to put the notation on it.

The Human Rights Commission is already becoming an administrative monster, devouring public resources at an enormous rate and breeding SES officers without due care or attention.

The ACT is meant to be the most business friendly jurisdiction in Australia. What an outcome! A cut of \$4 million to BusinessACT; reduced spending on our major industry, tourism; increased imposts, particularly in Civic and on the outdoor cafes; and absolutely no relief from payroll tax. What more can I say? The business sector in the ACT is—and it should be—disappointed with this budget.

In terms of management, it would be generally accepted that, if a budget deficit is really required, it would be to fund additional capital works—building infrastructure for the future, building a future for the city. What does this government do? It is proposing to reduce capital works activity. We are taking cash, we are spending it on recurrent items and we are reducing capital works. That is a formula for disaster. And this is on top of a continuing inability by this government to manage its capital works program.

In the 2004-05 budget, this government expects to underspend its capital works budget by nearly a third, almost \$80 million, compared to an underspend of \$45 million in 2004-05. Moreover, in the 2005-06 budget, this government proposes to reduce funding for new capital works from \$110 million in 2004-05 to \$77 million in 2005-06.

Mr Speaker, how could I reply to a budget brought down by this Treasurer without making particular reference to his economic prowess and, in particular, his continuing inaccurate use of the term “economic cycles”? We will all recall, of course, his wonderful diagram in blue last year showing us what economic cycles are. Unfortunately for this Treasurer, he still has not answered the very simple question that I have asked him a number of times: can he tell us that the economic cycle, his words, will run from 2002-03 to 2005-06? Here he comes; he drags it out.

According to this economic guru, this economic giant, the ACT was going to experience the end of the current economic cycle during 2005-06, which makes the deficit this year even worse as they knew it was coming because he predicted it. Now, however, the target has changed—startled like a rabbit in the headlights. The Treasurer’s economic cycle is not going to end in 2005-06 at all; it is now going to end in 2008-09. This is the only man in the world who knows when economic cycles end three years before they get there. Fantastic! However, we are not told how he determines his economic cycle nor where the ACT currently is on that cycle. Sadly, it is quite evident that the Treasurer does not like being challenged about these types of matters, especially when he is wrong.

It is extremely disappointing to have to respond to such a sad state of affairs, but it is incumbent on me as Leader of the Opposition and on my colleagues to highlight the failings of this government. As I have documented, these failings range across the breadth of economic policy making, from revenue policies to their spending policies. It has failed on spending policies. It has failed on revenue policies. It has failed on taxation policies. It has failed on infrastructure development. It is a sorry catalogue of failure.

The hope that the Liberal Party offer the ACT is that our economic policies will be realistic; our budget policy will be sensible, taking into account all relevant factors; outcomes for the community will be sound; and the economy of the territory will be strengthened, not destroyed. The hope that the Liberal Party offers stands in stark contrast to the cross-your-fingers approach of Labor. Unlike Labor, we will not spend three years basking in somebody else’s economic sunlight. Unlike Labor, we will not spend three years on plans and tens of millions of dollars on consultants talking about these plans that they now cannot fund and cannot deliver

Look at these Labor disasters: the failure of the white paper as we are now in deficit; the failure of the social plan as there is no money to pay for it; the failure of the spatial plan as it was out of date pretty much as soon as it was published; and the three-ring circus

that was the Canberra plan, a shallow document to start with, and now completely vacant. The contrasts between the Labor Party and the Liberal Party could not be more definite than they are at present.

We will develop new and alternative industries. We will expand existing industries. We will move away from the dependence on a single stream of income. We will ensure good management and a return to the people of the ACT rather than further imposts. And we will work in surpluses. It is my pledge that our policies and programs will provide the ACT with a positive future, in contrast to the failures of this government.

DR FOSKEY (Molonglo) (3.38): Firstly, I wish to say that I am very pleased today to be able to give some comment from a Greens perspective on the 2005-06 budget. I also want to note that I am looking forward to greater consideration of the budget via the estimates processes later this month and then via the debate on the appropriation bill in June. This budget needs scrutiny so that we can assess its real impact.

Of course for me it is a learning experience too. The budget goes to the guts of what a government is on about and we need to test the rhetoric of election promises against the reality of the figures. My comments will be critical but I intend them to be constructive. I will also give brownie points where they are deserved. Let me begin my statement with some general comments on the budget and then comment on some of the specific budget measures.

In summary, the Greens view the budget as a mixed bag. It is safe and cautious but it lacks vision. A tough budget can still be environmentally friendly and socially just. We are not opposed to a deficit per se as a short-term outcome, so long as the deficit can be funded over the term of the government. In some areas it is clear that the government is focused on feasibility studies and investigations, rather than actually getting on with doing things, and in other areas the government is going full steam ahead without stopping to look at these studies. Some significant election promises have been broken. It appears that there is a tendency to allocate money to symptoms rather than dealing with causes. And the main new revenue raising mechanism, rates, is potentially socially regressive.

I have some general comments on the budget. The ACT Greens have assessed and will continue to assess this budget using our four key principles that we are committed to. The first is ecological wisdom: recognising that the earth sustains all life forms and that whatever we do to the web of life we do to ourselves. The second is social justice: finding the worldwide growth of poverty and injustice unacceptable and working for a world in which all can fulfil their potential regardless of their age, sex, race, citizenship or sexual preference. The third is participatory democracy: believing in direct participation by all citizens in the environmental, political and economic decisions that affect their lives. The fourth is peace and non-violence. The Greens reject violence as a way of settling disputes; it is short-sighted, morally wrong, and ultimately self-defeating. The Greens encourage tolerance, understanding and peaceful conflict resolution. Let me say here that I think that an assembly of 17 people is so small that some of the adversarial politics that go on here just look plain ridiculous.

A Greens budget would promote an economy that furthers these aims. *The Canberra Times* editorial of yesterday was headed "Muddling along without vision". I tend to

agree with this sentiment. Perhaps we should consider some of the reasons why this budget is so tight and lacks vision. Perhaps it is because the ACT government is failing to allocate reasonable funding to prevention, which results in major amounts of funding to deal with the symptoms.

It is clear in this budget that the ACT government is failing to take a strategic approach to tackling longstanding social and environmental problems. Major areas of spending are at the crisis end of the social services spectrum, with little or no funding going to address the root causes of those problems. Investment in prevention, health promotion and sustainable initiatives is generally lacking. I will give a couple of examples of this. This is the second budget in a row in which we have seen dramatic increases in funding for child protection, with little or no increased investment in family support programs, despite a growing body of research to support effectiveness of family support approaches in building more resilient families better able to care for children. Also, despite producing a mental health strategy and action plan that clearly acknowledge the importance of health promotion and led to the development of the ACT mental health promotion prevention and early intervention (PPEI) plan 2004-2008, there is no funding in this budget for promotion of mental health prevention and early intervention.

In those areas where there is some investment in early intervention, the disparity of funding is telling. For example, under health services \$463 million is allocated to acute services and only \$16.7 million to early intervention and prevention. Likewise, the government keeps reiterating how it is investing \$13 million in homelessness services, but this issue will continue to worsen unless the underlying causes of homelessness, including housing affordability, mental health and family support, are addressed. These are areas in which we see little investment in this budget.

Furthermore, the government has argued that responding to the three major reports—Vardon, Gallop and McLeod—has meant considerable unexpected investment and has inhibited spending in other areas. I have said that over and over again. Every time the Treasurer or the Chief Minister speaks about this budget, they say, “Yes, but the Vardon, the Gallop and the McLeod reports have meant all this extra expense and that means there is less money for other areas.” However, I believe that it could be argued that responding to these reports has been costly because those areas of government responsibility—namely, child protection, disability support and emergency services—have been chronically underfunded and poorly managed over the long term. There will be more and more such examples in the future unless we invest now in important areas of social need. To quote Ara Creswell from the ACT Council of Social Service: “The lesson to learn is that we cannot afford to do human services badly.” Also, I believe only the recommendations of the Vardon report have been adequately responded to. There is still a long way to go in responding to the Gallop and McLeod reports. So I do not believe the government should keep using those reports as an excuse for not acting in other areas.

For quite some time the government has been putting out the message that this budget would be tough. We accept that there are times when tough budgets are necessary. We accept that the ACT has some unusual budgetary constraints. However, we also believe and expect that tough budgets can be delivered in a manner that protects and enhances our environment and is socially just. We are not convinced that this budget delivers in these areas. As indicated earlier, we have no ideological objection to a budget deficit.

However, it is the first budget of a four-year term and the government has indicated its commitment to having a surplus at the end of this term, so we will be looking to see whether it can deliver this and at what cost.

The major revenue initiative of this budget is socially regressive. The increase to land tax rates may be a significant impost on many low-income households. At a time when land values have increased, this tax will be particularly hard for some members of our community. It is ironic, at a time when the government acknowledges that there is a housing crisis and keeps reiterating a commitment to making housing more affordable, that the one major revenue initiative in this budget makes housing less affordable for many households. In the suburbs with the highest rates, such as Ainslie and Yarralumla, we find the highest concentrations of the elderly, many of whom are asset rich, in that they own their house, but income poor.

The Greens believe in using taxation to achieve social equity and environmental sustainability by encouraging a fair distribution of income and wealth, improving ecological sustainability through the adoption of incentives for sustainable use and penalties for unsustainable use of natural resources, and reducing taxes on labour and increasing taxes on resource use and pollution. The government could have considered innovative ways of taxing. For example, I would like to draw attention to the car registration schemes in South Australia and Tasmania where registration is based on the power of the cars. So, for example, four-wheel drives have a higher registration. I am just assuming that applies to four-wheel drives in the city, because I think there are valid reasons why four-wheel drives in the country should not be subject to the higher registration. New South Wales is considering adopting this scheme and I feel that it is one that we could look at here, for a number of reasons.

I believe a committee of this Assembly did an inquiry into alternative ways of revenue raising. I will be looking at that and I will be interested to see if the government has actually implemented any of that committee's recommendations.

Before moving to specific comments, I would like to briefly flag my interest in the new look of the budget and the attempt to incorporate triple bottom line reporting measures. The government should be congratulated on this. However, I do have some concerns with some of the indicators and so I flag that this is an area that we will look at further and also seek advice from the community sector about the adequacy of those indicators. That aside, I still think it is an important initiative being trialled in this budget. I note that this is its first go and I hope the government will respond to critical input.

The first of the specific budget measures that I will deal with is environment, planning and transport. This is definitely not a 'green' budget. Our key concerns include: the six per cent cut to Environment ACT; a potential cut of six per cent to the Conservation Council of Canberra and the region; the failure to increase resources to the Office of the Commissioner for the Environment; no ongoing funding for the solar hot water rebate scheme; only \$1 million of the \$4 million promised to retrofit some public housing; no \$5 million for energy audits in ACT schools as promised; a lack of funds for ecological rehabilitation of catchments; and no additional funding for water conservation measures.

The government was elected on a strong environmental platform and it was very interesting during the election to see the leaflets and the statements in the media that

showed that the government was going to be better on the environment than the Greens. I am afraid this budget gives the lie to that. It is very disappointing to see these cuts, staff losses, broken promises and minimalist new initiatives.

The Conservation Council is the ACT's peak environment community group, which plays an incredibly important and vital role as an advocate for the environment. It also plays an important role, much used by this government, in representing to the government the community views related to the environment, which has probably saved the government a great deal of embarrassment in the past, and it is a little unfair of the government to bite the hand that feeds it. This ACT funding cut comes on top of the recent news that the Conservation Council will lose its federal funding. This cut inspires me to ask whether the government is afraid of criticism. After all, if you are cutting funds to key environmental areas, you had better cut the capacity of the one group in the community that has the role of commenting on that, so that its capacity to comment is lessened.

The review of the Office of the Commissioner for the Environment, recently undertaken, stated that the current resourcing level for the Office of the Commissioner for the Environment is inadequate to enable it to fully meet its statutory responsibilities, which could result in adverse environmental impacts. Yet the government has chosen to reject the recommendation and subsequent request by the Office of the Commissioner for the Environment for additional funds.

Likewise, the government has broken its election promise to provide \$4 million to retrofit some public housing stock for energy efficiency. The budget provides only \$1 million for this. Interestingly, the Conservation Council, in its 2003-04 budget submission, called for \$33 million to enable retrofitting of all existing public housing stock. Also missing in the budget is the promised allocation of \$5 million for energy audits of ACT schools. I know the government has also started looking at energy audits of some of its high-energy use offices, and that is good, but we need to see the dollars allocated to actually do the work needed.

We were pleased to see ongoing funding to HEAT, which is the acronym for the Home Energy Advisory Team, and we were pleased about the extension of the water energy savings trial in ACT public housing. However, only very small pockets of money were involved. We also support the additional resources of \$160,000 for monitoring of our ground water resources. This is welcome, but again it is a small pocket of money. We have to consider this in light of the fact that there are no additional resources for water-saving measures. In October 2003, the Institute for Sustainable Futures recommended that a strategy could be developed using low-cost water demand management measures, which would then defer the need to increase water supply for many years and allow time for further research. I have a reference for that. I think we should implement the full range of low-cost demand management measures proposed. This would reduce water use by 12,500 megalitres per annum at a total cost of \$45.2 million or 30 cents per kilolitre. We should implement all of the low-cost measures now.

The dollars for the building sustainability index, BASIX, are welcome, although we question whether we need to examine the feasibility of the system. We know that it has just been introduced into New South Wales to operate from July and we know that

a number of other municipalities have looked at it. They have done their feasibility studies. Why do we not just introduce BASIX? The allocations to sustainable transport are also significant and welcome, although, of course, we would suggest that more should be invested here.

We are looking forward to participating in the planning reform project and hope that it gets to the heart of some of the systemic failures of our current system and addresses issues around consultation, environmental impact of buildings and social sustainability of housing developments and urban developments. But, overall, the budget makes me question the government's commitment to ecological aspects of sustainability.

There is a great big gaping hole in this budget and that is in relation to the absence of funding allocated to increase affordable housing. Despite repeatedly acknowledging that there is a crisis in affordable housing and expressing a commitment to address this, the government has failed to deliver on a number of key election promises, including additional capital injections for public housing in the order of \$10 million per year for three years—though I will with interest follow up Mr Hargreaves's comments today; funding to retrofit some public housing for energy efficiency in the order of \$4 million; and new and expanded programs to assist people to enter and maintain private and public tenancies.

The Treasurer's statement in his budget speech that housing affordability in the ACT has been improving since the middle of last year appears to refer only to the affordability of buying a home. There is no evidence that the rental market is easing or that there has been any reduction in the number of people seeking urgent placements in public housing. This budget fails to demonstrate a promised commitment to addressing the lack of affordable housing in the ACT. Initiatives included in the last budget were seen as the beginning rather than the end of work needed in this area, but expectations have now been dashed. I welcome the commitment of \$1 million in new works funding for energy and water improvements for ACT public housing.

I question the need for a feasibility study for a homelessness drop-in centre. The proposal for such a centre has been around for long enough and I would have thought that community groups could readily provide advice to the government on this initiative without the need for a study. This would allow the centre itself to be established more expediently. While acknowledging the considerable investment in homelessness services in previous budgets, it is important to remember that there continues to be high unmet need for these services in the ACT. As the ACT Council of Social Service has identified in its budget analysis, the Australian Institute of Health and Welfare report on homeless people in SAAP, produced in March 2005, suggested that there were 1,950 requests for service that could not be met in the 2003-04 year. Of these, 1,000 requests were from single women.

On the issue of poverty, I am disappointed that the budget does not include initiatives in relation to emergency relief and an expansion of concessions programs. Emergency relief received a small injection last year but it was nowhere near enough to meet the increase in need experienced by welfare services in the ACT. There has been much talk about concessions and I think that it is widely recognised that there are problems with concession programs based on Commonwealth government pension cards, as this locks people into a poverty cycle and also fails to respond to the needs of other people living

on a low income, such as self-funded retirees, and people working for minimum wages, often on a casual basis, who are often earning little more than those on income support but facing much higher costs. In the social plan, this government has stated a commitment to assess policy and programs for their impact on poverty, but we see little evidence of that here.

The Greens recognise that there are unprecedented levels of growth in demand for acute health services and that it is important to respond to this by an expansion in hospital beds, elective surgery capacity and quality infrastructure. Yet the demand for acute health services is not likely to abate until we have an effective and accessible system of primary health care, health promotion and early intervention services. This budget fails to address issues of access to GPs for people living on low incomes, an issue that could be addressed through the development of accessible community health services that bulk-bill, as recommended by community groups.

Other significant gaps include the failure to respond to calls for increased palliative care services and expanded drug and alcohol programs. In particular, the need for additional drug and alcohol programs generally and the need for services that respond to specific groups, such as young people with dual drug and alcohol and mental health issues, has been raised by peak groups in the community sector, citing continued growth in demand for such services and more and more evidence of the negative health and social impacts of failing to assist people experiencing alcohol and drug issues.

I was disappointed not to see more in the budget for indigenous health generally and, specifically, to address Aboriginal and Torres Strait Islander illegal and problematic drug use. Later today, if there is enough time, I will have the chance to raise this issue as a matter of public importance. The June 2004 report *I want to be heard—an analysis of needs of Aboriginal and Torres Strait Islander illegal drug users in the ACT and region for treatment and other services*, produced by the National Centre for Epidemiology and Population Health and the Winnunga Nimmityjah Aboriginal Health Service, found there was a need for new and expanded services in the ACT to address this issue. This was consistent with broader recommendations such as the *State of the Environment Report*, released in March 2004, which recommended that “the ACT government implement programs aimed at reducing gaps in health outcomes for Aboriginal people”.

I want to say at this point that the ACT government is doing some really good work in the area of Aboriginal and Torres Strait Islander health. It is cooperating with the Australian government on Aboriginal and Torres Strait Islander health issues. It continues to provide support to Winnunga Nimmityjah and to the Gugan Gulwan Aboriginal Youth Corporation. It also has put in place a range of other measures to support better health outcomes for Aboriginal and Torres Strait Islander people. There were also two initiatives in the last budget: outreach workers for Gugan Gulwan and a feasibility study into a bush healing farm. I am looking forward to finding out more about the status of this particular feasibility study. I was pleased to see the Aboriginal and Torres Strait Islander dental health program in the budget, but it was a surprise not to see additional and extra resources to indigenous health generally or any initiatives specifically to address Aboriginal and Torres Strait Islander illegal and problematic drug use.

Anyone who has been affected by, or has had friends or family affected by, mental illness will be disappointed to hear that this budget fails to allocate any additional funding to mental health services, with the exception of one program to help people returning from New South Wales correctional facilities. Community groups, including consumer and provider representatives, have been urging the government to substantially increase funding to mental health services. These calls have been ignored.

I welcome the additional \$482,000 allocated to the family violence intervention program over the next four years. This is a successful program that has been widely recognised as good practice. I also welcome the \$13 million for individual support packages for high-needs children and young people, as well as the additional \$11 million for more care and protection staff and the \$2.9 million for the establishment of an Aboriginal and Torres Strait Islander unit in child and youth services. Nonetheless, I am dismayed by the continued growth in the need for crisis responses and I feel that it is really important to start investing more in prevention through family support programs. There is no additional funding for family support programs, despite the recent review of this program and the development of the children's plan.

I am also concerned about the extraordinary amount being spent on the consolidation of the accommodation for the Office for Children, Youth and Family Support. Although this may be linked to a recommendation of the Vardon report, commonsense would say that spending nearly \$5 million on this is extravagant, and I would be surprised if the same outcomes could not have been achieved more efficiently.

Further evidence for my argument on lack of prevention is noticeable through the budget allocation towards our youth. There is \$40 million for the new Quamby Youth Detention Centre and \$1.3 million for staffing at Quamby—initiatives that we applaud—and yet only \$3 million for the individual support packages and \$415,000 for community support services, and virtually no funding for youth dealing with mental illness, drug addictions, homelessness, or cultural and linguistic differences.

The Quamby Youth Detention Centre is certainly needed, but we must not forget to support our youth before they hit absolute crisis point or find themselves in Quamby. Our youth are our future, and even worse than continual tight budgets is the case of failing our sons and daughters when they are crying out in need and, in doing so, contributing to the crisis and future health and social problems they will face.

The ACT Greens welcome the increased funding of just under \$8 million over four years to increase preschool hours to 12 hours per week per child, particularly if this is to be implemented in a flexible way that allows parents to choose the most appropriate format for participation for their child and does not force children to attend for two full days a week instead of the current pattern of half-day attendance.

We also welcome the allocation of additional funding to SCAN—funding to support access and participation needs of students with a disability—to meet the needs of increasing numbers of students with a disability, and the allocation of student support funds that will provide funding to government schools to give children and young people the opportunity to access and participate in school activities regardless of economic circumstances. We are disappointed that there are not more student support initiatives.

We would have liked to have seen an increase in the school counselling and the schools as communities programs and were hoping to see some expansion of student support programs to preschools.

The review of colleges is a reasonable initiative and I am particularly interested in the way colleges are responding to the transition of students straight out of high schools into that very different environment. But it is our understanding that there is considerable concern in the community regarding ACT government high schools, with research indicating that there is a substantial gap between students achieving high and low outcomes, as well as a significant level of dissatisfaction and disengagement of students at high school. It was hoped that this budget would indicate a commitment to examine these issues and address them accordingly.

Before the election, the government promised an injection of \$2 million to the Canberra Institute of Technology and a bursary scheme for disadvantaged students. The allocation of \$1.5 million in 2005-06 and again in 2006-07 to meet increased demand for traineeships and apprenticeships will run out in 2007-08, falling short of the election promise. It also suggests that the government expects demand for traineeships and apprenticeships to drop off in 2007-08. It is very disappointing that the budget does not contain measures to provide fee relief or bursary support or to expand the provision of fee-exempt courses in CIT for disadvantaged members of the community such as the unemployed, young people at risk, women wanting to return to the work force, people with little education, those with poor literacy and language skills, people with a disability and people from low-income families who wish to increase their education in order to improve their life situation. The ACT government needs to do much more to address skills shortages in the ACT and to assist disadvantaged students.

The ACT Greens welcome the positive initiatives in this budget for children with a disability and their families, including: additional funding to the caring for kids at home program, which provides support for high-needs children with a disability, to allow them to live at home and not remain in hospital; additional therapy support for children with high and complex needs, including autism; assistance for families with children who have intensive support needs, including those children with challenging behaviours; and additional resources for the SCAN program. The new northside community-based service for young adults with a disability is also a welcome initiative. Unfortunately, this initiative will provide no benefit for the many young people with a disability leaving school who do not want to attend a centre-based service but who face barriers accessing further education or training and a very lengthy wait for employment assistance.

The funding assistance for adults with a disability and for family carers who have provided long-term support falls well short of the need and is highly targeted to a relatively small number of individuals and families. According to the minister, the recurrent funding of about \$800,000 per year for community support and crisis intervention will assist just 17 people with high unmet needs. This is well short of the estimated \$4 million required to fund the unmet need identified in the ISP round last year. In addition, funding for respite services is limited to carers over 65 years of age and it is a short-term solution. Mature carers are looking for long-term accommodation and support solutions for their relatives, and they deserve a more substantive response from the ACT government.

While the new approach to community sector funding indexation, which will replace CPI indexation with an 80:20 wage-cost/CPI indexation method that more accurately reflects real costs, is a step in the right direction, it is unclear why this initiative has been delayed until the 2006-07 financial year. The delay will cause considerable hardship for community organisations that have been waiting three to four years for this change in formula and are currently treading water. It is also a shame that the government has missed an opportunity to strengthen the viability of the community sector by responding to the community sector viability task force deliberations and has failed to invest in the community sector's infrastructure, including community facilities and information and communications technology.

The Greens are pleased to see funding rise for the arts and sport. In many ways the arts can be said to represent the soul of the city, and the sports certainly contribute to health and fitness. There is always the potential for them to fall to the bottom of a government's list of priorities. Adequate facilities are vital in supporting the growth of arts and sports sectors. I am aware that these sectors are very excited to be receiving funding for facilities, but I am concerned about the method of consultation the ACT government is using to determine the timing and level of funding for these facilities. For example, \$6.15 million has been allocated towards the Childers Street development and the planning for a performing arts centre in City West, but the 2003-04 feasibility report on the performing arts centre in City West has not yet been released. The ACT government will not make public its deed of agreement with the Australian National University, which places high levels of control over the use of this land for which the performing arts centre is planned. The demolition of buildings on Childers Street is to begin on 23 May 2005 but the full plans for this precinct have not yet been provided to arts organisations.

With regard to sports, \$1.7 million has been allocated towards Phillip Oval for improved playing surfaces, amenities and spectator areas, yet the Woden Community Council requested only \$1 million in its budget submission. I know that it is not complaining, but I hope that other initiatives, including a proposed review of sport and leisure facilities as well as arts and cultural facilities, have not missed out because of overspending on Phillip Oval.

The ACT government has only one program to target childhood obesity, the kids at play program, which consists of two vans driving around to afterschool centres and community events. I am not surprised that this has been a highly successful program, because there has been so much publicity about this issue and certainly work is needed in this area. However, we need to be aware that obesity is a lifestyle issue and that family nutrition and activities set the context for children's health. We need to be wary of focusing health dollars on a narrowly-targeted objective when broader primary health care may be more cost effective.

The ACT government appears to be allocating money to areas without releasing reports or acknowledging community consultation in the area of policing. The ACT government has allocated \$2.2 million towards 20 new police officers. This funding is welcomed. In addition, we need a highly responsive police service, and the type and nature of policing services in the ACT need to be adapted to community needs. A report started in 2004

into ACT's future policing needs was meant to be released in January this year, but we are yet to see it. We would like to have seen the report before we saw the budget figures.

In conclusion, I feel that the ACT government budget is a mixed bag, and that is hardly surprising. I acknowledge the difficulty of providing a budget that both addresses the real needs of the community and is politically advantageous for the government. I hope that the former has not been sacrificed for the latter. There are good and bad parts to this budget. There seems to be an emphasis on maintenance and very little on vision. There is a focus of ongoing governments to look at the short term and to lack courage to look to the long term. Yes, there are plans that address the long-term sustainability of Canberra, but, unfortunately, as the government has attempted to turn these plans into reality through this budget, the implementation appears to be focused on the area of building and planning.

There are so many more things out there waiting to be done and they are bigger than building and planning. I am talking about the support that we provide to our community, especially the most disadvantaged, to give it a healthier future. I will be using the estimates committee to look between the lines of this budget.

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

MR MULCAHY (Molonglo) (4.18): This budget is bad news for the people of Canberra. Indeed, the ACT government has done a remarkable job, a superb job, in upsetting nearly every person who takes an interest in the ACT budget. It has managed successfully to put itself offside with nearly all Canberrans, because they can see that they are personally copping the costs of years of profligacy, waste and incompetence by this Labor government. It is quite remarkable that in today's *Canberra Times* one of the letter writers who has been threatened with being "squeezed until he bleeds"—that well-quoted phrase of the Treasurer—warns that he will give the Treasurer a bloody nose when the opportunity presents itself. For part of my life I was educated in a Quaker school that extolled the virtues of peace, so I certainly would not condone violence, but that letter does reflect the depth of feeling on this particular budget, which has well been described by *The Canberra Times* as a "horror budget".

It is unfortunate that the Treasurer and the Chief Minister are not here to listen to my remarks, as they were so keen to talk yesterday about the \$1 million projected operating surplus for 2006-07. I can only conclude that the Treasurer will be very safe with that forecast because he must have plans to leave the Assembly. Nobody could seriously suggest that within this budget figure of about \$2¾ billion he is going to nicely land there with a \$1 million surplus in the next fiscal year. It seems to me that he has come up with a convenient figure—and one that he does not ever expect to have to defend because he does not have plans to face the music. I suspect that the Treasurer has got plans to be elsewhere and that it is more than likely that the legacy of this bad budget will be someone else's problem.

It will be unfortunate for whoever has to pick up the relics of the ACT economy, the ACT budget, because, as I said, the government has managed to upset just about every group in the town. Even the far left are upset with this budget. When the Greens slam the government for reneging on its election promises on public housing, the government's fortunes have really taken a tumble. To make matters worse, the government is accused

by the Greens of neglecting the environment. Its support base is fast evaporating! And I see that a release issued today by Mr Daryl Smeaton, Chair of the Catholic Education Commission, has expressed serious concern over this government's failure to address the priority needs of all students with disabilities. It says:

The government has committed an additional \$4.2 million over four years for students with disabilities in government schools but nothing for similar students in non-government schools.

This was a core election promise of the Stanhope government, and we are distressed that our students with disabilities are again casualties of broken promises. They already face major difficulties in their lives—the Government's failure to support them adequately is very disappointing," Mr Smeaton said.

And don't we all remember—it was not very long ago—when we were out there at Garran listening to the minister for education, Ms Gallagher, tell us that Catholic parents should not be concerned, that this government would look after them? But that promise has not lasted 12 months. They have been wiped and, tragically for the families who have got disabled children attending those non-government schools, they do not rate.

The underlying problem, of course, which this budget is reflecting, is that the government has not been able to discipline itself when it comes to spending other people's money. The Labor Party will not like it, but I will continue to hammer home to the people of Canberra why the government cannot be trusted with their money. Instead of putting money aside during the good times when economic activity cools off, the government has been on a massive spending binge. That is the Labor way; it is simply incapable of providing for the future.

I have said it over the last few days and Mr Smyth has made it known today, but let us keep reminding ourselves what the performance has been. Expenditure blew out by \$166 million in 2001-02, it blew out by a further \$153 million in 2002-03—and the government, still not having learnt from the errors of its management style, blew the budget in 2003-04 by \$285 million. You do not have to be terribly clever with the numbers to see that over the past four years Labor has spent some \$688 million more than it budgeted for. An average of \$172 million per annum has been the mismanagement figure, caused by overspending, spending vastly more than it had budgeted for. For that reason I place little weight on the projections that were contained in the budget presented this week. Based on Labor's track record, we can therefore expect government expenditure probably to exceed the amount budgeted by at least \$150 million, and that will certainly make a mockery of the Treasurer's \$91 million planned operating loss for 2005-06.

One example illustrates quite clearly why these targets will not be met. It was only two days ago that the Treasurer said in his budget speech that health costs escalate seven to eight per cent each year—he said to this Assembly that this is an accepted norm in terms of health costs—but his own budget only allows for an increase of around four per cent a year. Just that error alone—and there are others within this budget—would cause a cost blow-out of about \$28 million. So, before we even get under way, before we even vote on this particular measure, we find that the operating loss is already looking like \$120 million.

Instead of putting money aside for the inevitable downturn, the government has squandered it, and I suspect it will continue to do so. Amounts that could and should have been returned to businesses and individuals in this territory as tax cuts or reductions in land tax or rates have already been spent or committed. Instead of easing the burden on the citizens and businesses of Canberra, the government has taxed them even more. We have got rates on average in households increasing by \$104, we have rates on business premises rising by on average \$312, and of course today families have also heard they will be slugged with higher water charges estimated to be about \$30 a year. All these things assume that people have an endless capacity to pick up the cost of government error.

I will be very interested to see what happens to unimproved valuations as a basis for raising rates. The question is: will they be raised? Will we see a situation where the land value of a property is deemed to have risen but the house value has fallen? Nobody will convince me that housing costs are going down, and it is very clear that we have got a softening in the property market. Yet the budget figures project constant increases in valuation, on which 50 per cent of the rate increase is based.

And in addition to this rate slug, parking fines are up and the enforcers are moving in. The government has pledged to get tougher on the newly categorised criminals who overstay their car park. The Minister for Urban Services seems strangely proud of his new role in pursuit of the mums and dads taking their kids to school or going shopping. He wants more mobile speed camera vans—not to promote safety but, as the budget makes clear, to raise more funds for the government. It is a shameful situation. I look today in *The Canberra Times* at a letter from Robert Wilson from Deakin—

Mr Hargreaves: Well, it has got to be true then.

MR MULCAHY: Whether it is true or not, it is an expression from one of those people out there who actually have an interest in these affairs. Mr Wilson writes:

So now we know. The ACT Budget lists three new speed cameras as “revenue raising initiatives” ...

I always had the silly idea that speed cameras were in place to encourage people to keep the law and to punish those who did not do so.

No wonder the public are so cynical about speed camera rules when the government is so blatantly saying it is putting in more of them to raise more money to fund its extravagant expenses. And the government is taxing property owners in Civic to raise funds for rubbish clean-up and graffiti clean-up—something the government should be attending to in any case. A fundamental task of this city and this government ought to be to attend to those matters. But, no, we are going to end up with another tax being imposed. I question the efficiency of this measure because I suspect there will be enormous legal difficulties in trying to draft legislation to tiptoe through Civic, picking and choosing who will end up paying these costs—and all for a relatively small amount of revenue. I suspect the cost of collection and the cost of meeting these requirements by business houses will prove it to be a highly inefficient tax.

If you are not doing your job, it seems, the policy in the Labor Party is just to raise taxes and the mug punters will have to pay. The government's planned operating loss of \$91 million I do not think will be achieved, for reasons I have already given. I find also much more unbelievable the estimated operating results of \$1 million in the subsequent year, \$39 million in 2007-08 and \$73 million in 2008-09. The government achieves these unrealistic figures by building in fanciful assumptions about continuously rising land values and the continuously rising value of its financial investments, mainly equities.

The government can get away with playing with assumptions to achieve a desired result because the accounting system allows revaluations of assets to go to the operating result. That is, if you revalue land upwards, it is taken as revenue and, all other things unchanged, increases the operating result or the bottom line. So, if you look like making a loss, a revaluation of land can fix it. Similarly, the government has considerable holdings of financial assets. If its equity investments rise in value, that shows up as adding to the bottom line. Equally, of course, a drop in the value of the share portfolio shows up as a loss at the bottom line.

The Treasurer, I understand, is aware of this flaw in the accounting system and I am advised has often in the past said it should be changed. Indeed, several years ago he said that movements in the value of the territory's assets give an unrealistic picture of the impact of a government's policy and managerial decisions. He suggested that the effect of asset priced movements should be recorded with the accounts but separately from transactions resulting directly from economic activities. I agree with those sentiments he has previously expressed.

For those who might be having a struggle in understanding what this is all about, maybe a simple example would be to look at a person who might own a farm producing wool and cattle and who may also hold some bank shares. You make a loss on your wool and cattle but, with no effort on your part, the shares go up in value more than what you have lost on your primary production. Does that mean you have made a profit even though you have not sold your shares? No, it does not. For the next three years you can see that you are going to make a loss on your primary products, so to make things look better you assume that the value of the shares will rise and land values will rise too. In the end, you find you have got to sell things and you treat that as income. If that is the case, you are in trouble. But that is essentially the underlying philosophy behind the accounts that we are being presented with.

You can see how much the current system used by the government covers up what is happening as a result of the government's overspending by looking at the government financial statistics. I draw members' attention to page 338 of budget paper No 3, where it is clear that the government, and all Canberra residents and businesses with it, are in serious trouble. In 2003, the net operating balance, which is the end result of all the government's revenue and spending activities for 2005-06, was forecast to be negative—that is, a deficit of \$19 million. Now the deficit on the net operating balance for 2005-06 is—wait for it—\$356 million. These figures are in the government's own budget papers. For the following three fiscal years, the net operating balance is forecast to be negative \$284 million, negative \$263 million and negative \$248 million. That is a far cry from the surpluses the government would like you to believe in the budget headlines. The difference is made up by very optimistic assumptions about the future value of the

government's equity investments and land values. It needs to be understood that the government financial statistics are in fact the basis on which the Grants Commission operates, the basis on which the IMF operates and, dare I say, the basis on which a number of the other state Labor governments operate. So, if you really want to know the true financial position of the ACT, they are the figures I would commend to members of the Assembly.

Finally, a request was raised yesterday in the Assembly for me to make available a copy of a presentation I delivered yesterday morning, and I seek leave to table that presentation.

Leave granted.

MR MULCAHY: I will quote from that presentation. The Chief Minister has a terrible problem understanding what I say, so I will say it very slowly for his benefit upstairs:

Canberra's hospitals are costing \$100 million more than they should.

That is, if Canberra's hospitals did the same medical job (on a case-mix adjusted separation basis) that they are doing now but at the same cost as the average of other similar hospitals in Australia, they would do it for \$100 million less.

That is an enormous waste by the Government.

The clear message, Mr Stanhope, is that you need to be more efficient in the way you manage your affairs. That does not translate into budget cuts and people being sacked and fired—and all those other extraordinary statements that in desperation you seem to be inclined to state in this chamber. They are the facts, they are the quotes, and I am quite happy to stand by them.

The time has concluded for my remarks. I have appreciated the opportunity to put in perspective the ACT budget. I seriously hope that my forecasts for the period ahead are not validated. I will have great pleasure in acknowledging it if my estimates are wrong, but in fact, tragically, I think that the high level of spending that has occurred under this government, and its incapacity to manage health, planning and a number of other areas, is likely to prove that these figures I predict are going to be fulfilled.

MRS DUNNE (Ginninderra) (4.33): Given the Treasurer's truly impressive achievement of transforming a \$52 million a year surplus into a deficit of \$91.5 million, revealing, one might say, quintessentially Quinlan stolid indifference to public interest, we can hardly be surprised that the government has used the 2005-06 budget to reward its own constituency, to throw in a few symbolic gestures for the floating courtier and to squeeze everyone else until they bleed. As the *Canberra Times* pointed out:

At best, this is just muddling along ... there is no real plan ... except for some incremental changes in the edges, and public relations to make rather more of the new crumbs than they deserve in the whole scheme of things."

This is what the budget is at its best. Personally, as an MLA and, more importantly, as a citizen and a taxpayer in this territory, I do not think we should be that charitable. This is a budget and a government of public relations, spin, smoke and mirrors—whatever

you like to call it—a government for whom gesture is more important than substance, for whom monuments, usually to their own self-importance, are more deserving of public money than businesses or other institutions, which are the real sources of wealth and progress in our community.

I will illustrate my point by references to the portfolios of education and training and the environment. The Stanhope government has proudly proclaimed as one of the budget highlights its commitment to strengthening Canberra's economy and community by targeting vocational education and training and funding areas of skills shortage. To this end, it tells us that the government has allocated an extra \$3 million over the next two years to meet the increasing levels of skill shortages. This, Minister Gallagher notes in a media release, is in addition to \$3.1 million provided in the second appropriation and \$2 million increase the previous budget.

Let us look at this in detail. What this means in real terms in this coming financial year is a new allocation of a mere \$1.5 million. The rest is either recurrent funding or, to quote budget paper No 4, one-off funding which is recorded in the 2005-06 budget as an offset. That is all—\$1.5 million. By comparison, to take a random example in the education portfolio, the government is planning to spend \$1.4 million on interactive whiteboards in government schools. Does this mean that, for Ms Gallagher and Mr Quinlan and Mr Stanhope, vocational education and training is worth only half as much as a classroom gimmick?

But that is not all. According to the budget papers, in the past financial year overall spending on the VET sector has decreased by \$2.1 million. In addition, training commencements are down by 800 and the number of hours available for competitive purchases in VET services has been reduced by 100,000. Clearly, the Stanhope administration is taking pot shots at vocational education and training.

What is the reason for this? On 7 April in this place, in her answer to a dorothy dixer, Ms Gallagher amply demonstrated that what is really at stake here is not the interests of existing or potential VET students, training providers, or the skills shortage in the ACT, but an ideological obsession with the national training agreement and Australian technical college initiatives, both of which she and her government are going out of their way to sabotage.

Doubtless she will claim that these would-be VET students and trainers who miss out on Stanhope funds can appeal to the commonwealth to help. This, after all, is what Ms Gallagher is reported to have said about students with disabilities in non-government schools who are not, despite what she said in question time today, covered by her much vaunted initiative for student-centred appraisal of needs processing.

Ms Gallagher: Yes, they are, Mrs Dunne.

MRS DUNNE: That is not what you told the CO on Tuesday. This government apparently can afford to spend \$2.391 million on the provision of communication support for the Chief Minister's Department, but it will provide not a single additional cent for students with disabilities who happen to be in non-government schools. Do we know what "provision of communication support" means? To quote the budget papers, it covers "information and protocol services for the Chief Minister" and "delivery of key

government community events". Which key community events might they be—the Chief Minister's next command performance, his sailing regatta or the 2006 Stanhope tiddlywinks championship? But there is nothing for students with disabilities in non-government schools. According to the *Canberra Times*, Ms Gallagher has told them they can go cap in hand to the commonwealth because the ALP regards ideology as more important than providing basic services to the most vulnerable in our society.

The full extent of the Stanhope government's preferences for gestures and monuments over policy and substance is better illustrated by its provision in this budget for the environment—actually, one should say the total absence of any substantive provision at all for the environment. There is, of course, a separate section in budget paper No 3 devoted to the environment and just a few pages after the section given to the women's statement. In both of these we find a set of platitudes that would not be out of place in *Who Weekly*.

For women, we are told that the government is committed to good health and well-being—sorry, chaps; you are not there—responsive housing, whatever that means, and safe inclusive communities. For the environment, the Stanhope administration supports the Office of the Commissioner for the Environment, seeks to promote, protect and conserve the ACT's diverse and significant cultural heritage—and for some reason this is listed as an area of particular environmental focus—and continues its support for visitor services and community engagement in natural and cultural heritage management. There is nothing wrong with platitudes, whether about the environment or women—or, I don't know, pit bull terriers—but there is something wrong with tokenism. There is a lot wrong with budget platitudes that are not backed up by financial substance.

The 2005-06 highlights of the Chief Minister's Department contain only one imprecise reference to the environment, namely, facilitating key sustainability policy initiatives and identifying opportunities to more clearly align sustainability and environmental policies and programs. That could mean anything or nothing. Perhaps if we had an interactive whiteboard when the Chief Minister was here, he could explain to us what all that means.

When it comes to substantive government commitments, the pickings are pretty slim indeed. There will be, for example, \$1 million to replace aging plant and equipment in Environment ACT; \$160,000 for monitoring groundwater use; \$20,000 a year to supplement the home energy advisory service; a quarter of a million dollars for a feasibility study for an ACT government building, and I take it that this will help promote, protect and conserve the ACT's diverse and significant cultural heritage and that there is a particular environmental focus in this building.

By comparison, how much has been set aside for monuments? There is an additional \$6 million over four years to develop a new recreation area at Stromlo Forest park; an extra \$4.1 million in recurrent and capital funding for the international arboretum and gardens—Lord help us—in addition to the \$10 million that has already been allocated. That is \$14.1 million, by coincidence exactly the same amount of additional funds over four years that this government boasts it will spend on vocational education and training.

I almost forgot one. There will be asset refurbishment at the government horse paddocks. But the money for this will come from what is no longer being spent on greenhouse initiatives, such as the solar hot water rebate.

Mr Mulcahy: They're not putting Stanhope out to pasture, are they?

MRS DUNNE: That is a good idea. Where is the financial commitment to real conservation measures? For a start, Environment ACT faces a 6.6 per cent cut in overall funding, and this is presumably part of what the Chief Minister calls the year of consolidation that he says his agencies should undertake. There is also a cut of eight staff along the way.

As Dr Foskey has noted, this government has no serious commitment to large-scale ecological and rehabilitation or species conservation. There is certainly no serious policy in regard to water. It refuses to even countenance any venture to significantly increase supply. Instead it proposes bandaid measures that it hopes will get it through to the next election. In addition, the government is increasing the water extraction charge by 25 per cent.

The budget papers say that substantial government resources continue to be directed towards repair and reconstruction of assets damaged by the January 2003 bushfires. But where are those substantial resources? Let us contrast. There is \$70,000 for bushfire-related compliance reviews as against—and this is my favourite blowout in the budget—\$220,000 in addition to the \$185,000 previously allocated for the bushfire memorial. That is a 112 per cent budget blowout. There is \$75,000 for a greenhouse gas abatement scheme as against \$2 million for strategic program implementations, primarily feasibility and planning studies for *Shaping our territory* projects, such as the establishment of the overbloated international arboretum.

The Stanhope government appeals to environmentalist sentiment, especially in an election year, but does not really care about environmentalist practice, especially when any green initiative would take money away from what might be given to camp followers and pet projects. The Stanhope government's green credentials in several major respects mirror its pledge on education and training. It uses the appropriate rhetoric, it commissions the appropriate packaging, but it only delivers in policy and budget increments what is convenient to it and what does not interfere with its primary concern, which is bread and circuses.

As the Chief Minister himself said during the election campaign in October, "Labor promised to abandon the 'can do' culture." Judging from this year's budget, Labor is well on the way to keeping at least that promise with a vengeance. I suspect it does not really want a "can do" culture. I suspect it wants a "let's pretend" culture. Indeed, the government is well on the way to turning Canberra into a new kind of Potemkin village—a Stanhope village in which personal and business initiative are stifled and mediocrity is paid to thrive.

In conclusion, and to be fair to him, the shock of finding himself a bit short of other people's money has had a sobering effect on Mr Quinlan. He has been not quite as arrogant this year as previously, though it does take some gall or perhaps just delusion to claim that there is no problem with a \$91.5 million deficit because, in the best of all possible worlds, things might look up again some time in the future. Mr Quinlan, of course, does not have to worry too much about this because doubtless, come the next election, he will be tending his own garden. It is just a pity, given the government's

environment policy, especially on water, that everyone else in Canberra will have to be satisfied with admiring a couple of plastic pot plants.

MR SESELJA (Molonglo) (4.47): I rise today to draw attention to a number of errors in this budget, but firstly, I would like to commend Mr Smyth for his delivery of the budget reply this afternoon.

Prior to the election of this government, the Labor Party made much of their supposed economic management credentials. I would like to say that if the budget delivered by the Treasurer on Tuesday reflects this government's abilities, then Canberrans are going to be in significant trouble in the three coming budgets that Mr Quinlan delivers, if he indeed manages to hang on for that long.

I guess the first sign that this Labor government is going to be true to the form of many Labor governments, both state and federal, is the delivery of a deficit during boom times. I have remarked before in this place about the size of budget deficits left by the Hawke and Keating Labor governments, and I believe I may have erred at that time. I recall stating that the federal budget black hole when the Labor Party left office was \$96 billion. I should correct the record at this time. It was, in fact, \$10 billion. The \$96 billion was the level of government debt that was inherited after the legacy of Hawke and Keating

One could also draw attention to the former Victorian government's record during the early 1990s, when Joan Kirner and John Cain left Victoria with a legacy it took a Liberal government to correct. That seems to be the way it is with state governments. The Labor party spends all the cash, leaves the government coffers bare and waits for a Liberal government to come along and fix the mess. I imagine that is what might happen here if we continue to enjoy the financial management that Mr Quinlan and his colleagues deliver.

There were a number of reports in the media prior to the election about Mr Quinlan seeking to squeeze Canberra residents and Canberra businesses until they bled. Mr Quinlan then regarded this as a joke and tried to laugh it off, but I am sure that the 10 staff at ACTPLA and the 260 or so staff across the ACT public service do not think that it is a joke.

The last few years have shown that this government has held true to form, every year delivering a budget where they have said, "Look at that. We predicted we would only make X number of dollars from rates, from land tax, from change of use charges and from other revenue streams. We have made much more than we expected because times are good." Since the inception of the LDA, the government has been receiving greater than expected outcomes for its land sales. Indeed, the budget papers show a 2004-05 return of a net \$27 million more than budgeted for.

Yet now they are predicting a slowdown in the property market. I believe the words are "a softer property market". They knew it was coming. Page 449 of the 2004-05 budget paper No 4, in relation to the Land Development Agency, refers to "more conservative parameters used by the LDA when compared to the record land prices experienced in 2003-04 at the height of the property market cycle". They acknowledged that things were

going to be worse, that the property cycle was turning and that the boom could not continue, but nothing was saved for the tough times.

We have also heard a large number of critics of the ACT's planning system. Many of them have been in contact with my office. The story that I am constantly being told by builders, first home buyers, people looking to extend, architects and those in the construction industry is the issue of hold-up with planning approvals at ACTPLA. They tell me stories of waiting for an approval, only to find that the officer approving the plans is on leave or too busy with a large number of approvals to complete. They also get told that when the officer approving their plans is on holiday, there is not anyone else to approve their plans.

These delays in building approvals have come at a time when ACTPLA has been growing, when the ACT public service as a whole has been growing, and the delays in service at ACTPLA have been getting longer. Staff numbers have increased and delays in approvals have increased. Now Mr Corbell is telling us that four per cent of jobs are going. One wonders how much longer the delays for building approval might be with fewer staff. When staff levels increased, waiting times for approval increased. Maybe the government is applying the logic that, with more staff, service levels decrease; therefore, when staff levels are cut, service levels will improve. It may well be the case that efficiencies are possible if staff levels decrease. However, this government has shown little or no ability to increase efficiencies in the public service in this term of office. I certainly hope they may be able to do something in the coming year.

Mr Mulcahy drew the attention of the Assembly to a trip Mr Corbell is planning to take to the United States and the United Kingdom to learn about how other places deal with garden cities. Aside from the large number of garden suburbs in other Australian cities that Mr Corbell could look at or the large amount of information Mr Corbell could find on the internet, I am concerned about the message Mr Corbell is sending the Canberra community. Ministerial trips are often appropriate and sometimes ministers go overseas on delegations and all that sort of thing. There are plenty of times when that is appropriate.

But this government wants Canberrans to tighten their belts. They are upping rates well above CPI increases, they are spending more money on speed cameras and more parking officers and they are trying to squeeze fines out of ordinary residents. In the words of Mr Quinlan, they are going to "squeeze them till they bleed". Mr Corbell is going to cut 10 or more jobs from his own department, leaving families without income, and then he wants to take other members of his staff on an overseas trip. When all these cuts are happening, Mr Corbell is going on an 18-day overseas trip.

As I said before, there is nothing wrong per se with ministers going on overseas trips. But this government has shown that it cannot manage its budget and, as a consequence, Canberrans are losing their jobs and paying higher rates and higher charges. People are paying for the mismanagement of this government and it seems that Mr Corbell and his staff do not have to pay in the same way. Overseas trips are still available. The good times roll on.

The ACT deficit of \$91 million this year is a worrying sign. Effectively, in simple terms, it means the government will be spending \$91 million more than it will earn for the year.

The reality for Canberra families is that if their costs are higher than their incomes, it is the luxuries, like holidays, that they have to forgo.

I would like to say a few words on youth and the budget. Quamby Youth Detention Centre remains a very visible blot on the government's reputation due to its failure to meet the needs of our youth. It was somewhat amusing to read in the media releases that \$1.4 million over four years for security might reduce the risk of young people re-offending. I am sure that if we keep them in jail, they will not re-offend, but I would have thought that stopping people from re-offending probably involves a little bit more than that, such as rehabilitation and the like. It is quite an interesting, novel approach to stopping re-offending.

The people of my electorate of Molonglo have every right to feel let down by this budget. As well as the increased costs of parking their cars and the ever-shrinking number of spaces available, Gungahlin residents are going to have to wait even longer for the road that they have been promised. This budget delivers even longer delays for delivery of the road and even longer delays for Gungahlin residents on their trip to work every morning. As the wait for the construction of the road gets longer and the population in Gungahlin increases, the decision of this government to construct only one lane each way on the GDE is looking worse and worse. There is the prospect that, by the time the road is finished, it will be little more than a car park during peak hours, and it is possible that this government might end up paying for four lanes of road and building only two.

I drew the community's attention to the lack of ovals in Gungahlin in the lead-up to the budget. At a time when the sporting clubs of Gungahlin are crying out for places to play sports and numbers of registrations are growing, I am disappointed that no money could be found for these important facilities. The residents of Gungahlin deserve the same access to facilities as residents in other areas of Canberra. It was interesting to hear Mr Hargreaves's comments in the lead-up to the budget. He said something along the lines of, "Well, why would we build more ovals? We would just have to water them." It goes to the failure of this government's water strategy, and it also shows the government's complete disregard for the people of Gungahlin.

This is a booming area. It has the largest percentage of young people in the city. At a time of increasing rates of childhood obesity, Gungahlin has less private open space than anywhere else in Canberra and less public open space than anywhere else in Canberra and the government refuses to increase the number of ovals. It is a simple thing that could be done to improve the lives of people in Gungahlin and to improve the health outcomes for young people in Gungahlin and it is something they refuse to do. That is a particular disappointing outcome.

Water extraction charges will hit families. We cannot live without water, as we all know. This government always touts itself as defending the weak, the vulnerable and the poor. What is more basic than the need for water? Yet they are going to pump more out of ordinary families for their average water needs, water to bathe their children, for drinking and to water their gardens. This is very difficult to justify on equity grounds. It will hit ordinary families.

I would like to make a quick point about disability funding for non-government schools. In my maiden speech I spoke about the need for equitable funding arrangements across the government and non-government sectors, and Mr Mulcahy has already raised the issue of the broken election promise. I attended meetings with Mr Mulcahy where the government talked about its commitment to disability, whether a student is in a government school or a non-government school. What we have seen, I suspect, is the first of many broken promises in the education sector in this term. It is particularly disappointing that, under this government, students with disabilities in non-government schools will continue to be treated as second class citizens.

I am sure that my colleagues yet to speak on this subject and others will highlight other areas of concern within the budget. A litany of problems has been raised so far and I am sure that many more will be found during the estimates committee hearings as ministers have to justify some of the possibly rubbery figures that appear in the budget papers. I look forward to that estimates process and really digging deeper into this. The Liberal Party will continue to hold this government to account to highlight inefficiency, waste and blowouts in costs and when we take government in 2008 we will fix the legacy that this government will leave us.

MR PRATT (Brindabella) (4.58) I rise today to speak to the Treasurer's tabling of the 2005-06 ACT government budget. I congratulate the Leader of the Opposition on his reply to the budget and the shadow Treasurer for his delivery of a very sound counterattack to the budget.

It is obvious that things are tight in the government's coffers, as the huge \$90 million deficit shows. However, it seems that, while there are areas of strong community need that should have been funded, the government has overlooked these and instead has seen fit to allocate large amounts of funding to a raft of initiatives that one would think, in such a tight budgetary predicament, would have been held over so that those more essential items could have been funded.

Alas this is not the case. This is a plunger budget, a budget that has seen funding cut from essential areas in order to fund a raft of non-essential ideological and so-called visionary projects that the Stanhope government has hitched its wagon to. This is a budget that robs Peter to pay Paul, except that Paul is getting less than Paul was robbed of and poor financial management is skimming off the rest.

I will refer specifically to areas in my shadow portfolios, as well as matters that are causes for concern for the people in my electorate of Brindabella. Firstly, I am pleased to see that, in Brindabella, funding of about \$1.5 million has now been allocated for the construction of the child and family centre in Tuggeranong. This project has been delayed for long enough. During the debate on last year's budget I remember saying that I was pleased that this facility had been announced and was due for completion in June 2006. However, here we are again in the 2005-06 budget being told that completion of this centre will be in June 2007, a 12-month delay so typical of this government.

I am extremely disappointed that there is no funding allocated in next year's budget for some sort of supportive funding, some encouragement incentive, anything at all for a medical facility in the Lanyon Valley, something that is most desperately needed with

the growing population in that area. The government could have appropriated some kind of funding for this project so that some form of private enterprise could be exercised. But, no, there is nothing in the budget for something so essential. They would prefer to spend \$6 million on a real time bus information system, which will probably be vandalised because there are not enough police. The health and safety of our Tuggeranong residents are obviously not at the forefront of the Stanhope government's mind.

Mr Mulcahy: Or any residents.

MR PRATT: That is right. What is the government doing in next year's budget to address the problems of some of Tuggeranong's suburban shopping centres, such as Richardson and Calwell, which are riddled with graffiti, vandalised and are starting to look run down and shabby? There is no funding for any shopping centre upgrade in the 2005-06 budget, except for Holt shops. There is so much rhetoric from this government about the look of the city and their grand vision, with sustainable transport plans, human rights bills and the like. But this government, if it can get away with it, does not give priority to additional funding for the ordinary day-to-day things that most people actually want.

In the urban services department the 2005-06 budget shows general savings of \$2.3 million in 2005-06 and, in the outyears, of \$10 million per year, a total of \$32.3 million over the next few years. This is, in Mr Hargreaves's words, to be achieved by eliminating silos of waste within the department—a pretty harsh statement to make about people whose jobs may be on the line as a result of these cuts. I am deeply concerned that, as a result of these so-called efficiency savings, there will be a future drop in the level of services to the community for municipal and other crucial services. Also, there appears to be nothing extra in the budget to address the increasing problem with graffiti and other vandalism that is rife across the territory.

Why should we be surprised when, with Jon Stanhope's blessing, Mr Bruford has gone out and adorned the town in Bruford blue—a crime condoned and reluctantly criticised?

MR SPEAKER: Order! This matter is before the courts.

Mr Mulcahy: It has been settled, Mr Speaker.

MR PRATT: It has been settled, Mr Speaker.

Mr Mulcahy: He has been convicted.

MR SPEAKER: I had not heard the result of that.

MR PRATT: The matter was settled before 2 pm, Mr Speaker.

MR SPEAKER: It is news to me.

MR PRATT: It is no wonder there is little interest in funding a meaningful attack on graffiti by this government. Members, we have been Bruforded!

There is a proposed business levy, which apparently will be targeted towards improving the look of the city. There are no guarantees that this will be spent in these areas, or whether indeed it will have any noticeable impact on the problem. Does this levy mean that the government will use it to fund graffiti clean-up on private property? I do not think so. I do not see how it will really improve the look of the city overall. It does not address the growing problems with graffiti and vandalism at suburban and regional shopping centres and business areas.

The minister has announced that \$9.8 million will be spent on upgrades to improve the look and safety of the city. However, this funding is mostly targeted towards upgrades of the Belconnen lakeshore, Belconnen library, playground upgrades and maintenance of trees and parks. It does not appear to include anything that will address the growing mess around the city and urban precincts.

With respect to roads, the Gungahlin Drive extension cost has blown out by \$16 million since the 2004-05 budget. It was \$70 million, but has now grown to \$86 million. The project has been delayed by another 14 months. It was to be completed in June 2006, but is now forecast for completion in September 2007. It is understood that legal challenges have delayed the project, but the background to all this is, of course, that the government failed to act when they had the opportunity a couple of years ago and we might have avoided the problems that we currently have.

Next year's budget shows that ACT Forests will see the planting of 1.3 million pine trees. We need to know where those pine trees are going to go. Will they balance the bush outlook? What will happen about bushfire mitigation? Where is the money for that? What strategic role will the planting of these pine trees play?

On transport, I question the Stanhope government's decision at this time to commit funding to the tune of \$6.76 million for the introduction of a real time information system at bus interchanges and stops throughout Canberra. This is unjustifiable at this time with funding needed for crucial areas of health, police, housing, education and emergency services. How about spending that \$6.76 million on 60 extra police officers or ensuring that the new fancy equipment is not vandalised before it gets installed? How about spending that money on other essential services?

There are concerns about multicultural affairs. There is also a blatant lack of new initiatives in the 2005-06 budget for the multicultural community. This is disappointing for the multicultural community in general, who are an integral part of this town. To top off the insult, the multicultural centre will be delayed another 12 months from its original forecast completion date of June 2005. It will not now be completed until June 2006, and the cost has blown out by 20 per cent from \$2.5 million to \$3.2 million. These delays and cost blowouts since the Stanhope government took office demonstrate that it is not fit to manage the finances of this territory.

Let us look at emergency services. I am concerned about the lack of funding, indeed the total wiping out at this point of the construction or major upgrade of the ESA headquarters. This is a gross injustice. It goes against the promises made by the Stanhope government in the period after the 2003 bushfire disaster. I remind members that Mr McLeod said:

The ACT Government should take urgent steps to upgrade the Emergency Services Bureau's operational command and control facilities—either by carrying out a major refurbishment of the existing facility at Curtin or, preferably, by locating to a more suitable alternative site, where a more functional, longer term operations centre can be developed.

Even as recently as 31 January of this year, in a media release responding to comments made by the opposition, Jon Stanhope said:

That is why we commissioned the McLeod Inquiry and implemented its 61 recommendations.

I suspect that since the January 2003 bushfire disaster is now becoming a distant memory in the mind of the Chief Minister, the government does not see why they should fund one of McLeod's most crucial recommendations.

To add insult to injury, in addition to the lack of funding for an ESA headquarters, the joint emergency services centre at Belconnen and West Belconnen, which were previously funded in the 2004-05 budget to the tune of \$1.4 million and \$8.5 million, respectively, have now had their funding reversed. This is shameful. Clearly emergency services and the safety of the community are no longer a priority for this government.

Let us look at police. The minister has announced that there will be 40 extra police funded over five years. \$1.1 million has been allocated for 10 sworn officers, who will not come on line until 2007. The other 10 will not come on line until 2008. This is clearly grossly inadequate. It is an insult to the community and the police force themselves, who are feeling the strain of a lack of resources. Our police force is overstretched. It is tired. They are called upon too often to undertake overtime to meet the community's safety needs, and they cannot do it.

The purchase agreement between the ACT government and the AFP was made in order to provide an ACT policing service to our community. The agreement provides for a minimum number of officers to meet the needs of the community and deliver appropriate levels of policing. We cannot see that here. There needs to be a greater degree of certainty and consistency within this agreement. While we are grateful that the delivery of service also involves utilisation of AFP national resources from time to time, this should only be an add-on. The fundamental community policing function must be constant. While we support police rotation, a consistently on-the-ground force must be guaranteed at all times. It is not stated in the current agreement that there can be a police force of, say, 600 officers one day and perhaps 550 policemen the very next day.

Yesterday the minister referred to a full-time equivalent, an FTE, factor as a planning mechanism. That is rubbish! The minister has got to guarantee that consistently on-the-ground police force to protect our community. We do not see that strategy. We do not see sufficient resources being put aside in the budget to increase the police force to the national average benchmark that the community deserves. We do not have that.

Yesterday, in response to my questions about police numbers and 40 extra police, Mr Hargreaves said that he would teach us a lesson about accounting, about numbers. Apart from his pathetic, pull-it-out-of-his-backside statement that police numbers do not

matter in the fundamental question of measuring police capability—a position that he constantly rattles—he decided to teach us the lesson that the AFP, which umbrellas ACT Policing, is a broad organisation. He taught me that this great AFP parent body was 7,000 strong. The total AFP figure, from which we draw ACT Policing, is about 4,900 employees in total. Thanks for the lesson, minister. How can Mr Hargreaves have any idea about ACT Policing capability? How can he even know whether 40 new police in the budget will be sufficient if he has no clue about the true numbers? He demonstrates that he does not give a damn about numbers, let alone the actual effective numbers, of sworn police.

I am disappointed overall that this government, despite the Treasurer's previous admissions that they knew it would be a tight budget, have not kept themselves to funding crucial areas of need and have instead clearly given preference to a whole lot of non-essential projects. This is not to say those non-essential areas should not be funded, but when times are tough, those things can wait a little bit longer. It is the fundamental areas of community need that should be given priority when times are tough. As I have illustrated, this government is not serious about policing the streets. They are not serious about protecting the community. They are not serious about bringing on line as quickly as possible fundamental emergency services capabilities. They are not serious about hospitals, schools and making sure that we adequately maintain the urban environment.

There is no doubt that this is a tight budget and, despite the fact that they have had to go \$90 million into the red, the Stanhope government have disappointingly let down the majority of Canberrans with their continued frivolous expenditure on ideological projects. If the government had not spent so much money in the last few years since taking office in the pursuit of its ideological goals, the ACT would not see itself in the dire financial position it is in now.

MRS BURKE (Molonglo) (5.14): Sadly, this budget hits people in the hip pocket and offers little in real terms to address acute need in our community. Let us look at housing, for example. At a glance, the 2005-06 budget, particularly with reference to new initiatives and not ongoing appropriated funding or non-appropriated own-sourced revenue from within the portfolio areas, does not commit any significant new funds to vital services within the housing sector.

In order to deliver on demands made by the Treasurer for achieving cost savings in each portfolio area, there were in the Department of Disability, Housing and Community Services a number of instances of obvious underspending, as outlined in the output components of the budget papers for the 2004-05 financial year. This, in turn, has provided a little something extra to slip into the forward targeting of funds for the 2005-06 fiscal cycle for implying in the budget announcements that there is additional funding for operations for the coming year, yet these funds that were siphoned off should have been effectively expended in 2004-05—the year for which they were allocated.

Taking property management in housing as an example, the government revised its 2004-05 estimated outcome of \$84,361,000 to \$81,160,000 and passed that off as a cost saving due to revision of the remaining economic lives of multiunit properties, yet until March 2005 only \$37,945,000 had been expended on property maintenance. Therefore, it follows that Housing ACT, in order to meet its target, will have to spend now a whopping \$43,215,000 in the last quarter of the 2004-05 financial year.

The real dilemma for the taxpayers and those affected directly by the shifting of funding from one financial year to the next is that people have to wait longer for the delivery of essential services and the department falls behind in the effective management of its portfolio responsibilities—a serious failure by this minister and this government. Tenancy management seems to have slipped into the secondary priority level as well. The 2004-05 estimated outcome of \$17,179,000 was, in fact, scaled back to \$16,527,000. In order to meet the revised target, Housing ACT is still to expend \$8,316,000 by the end of the 2004-05 financial year.

Every ACT taxpayer deserves to know why the minister for housing is failing to expend allocated funds in a timely and effective manner on maintaining the public housing asset base. I understand that on current figures that is now worth \$2.9 billion. All public housing tenants deserve the right to timely and effective management of their tenancies and their properties. All ACT taxpayers deserve to be confident that their hard-earned dollars are being efficiently managed. Any apparent cost saving in the housing portfolio espoused by the minister is only acting as a disservice to the ACT community. It displays a distinct lack of understanding of the management of a vital asset of the territory.

In regard to public housing, this government has failed to deliver anything new and has failed to deliver on a key election promise. The ALP, as part of its election commitments, signified that it would maintain “its programmed strong support for public and community housing, recognising that housing is the starting point for service delivery to the most needy in our community”. To allocate an apparent additional \$7 million to the 2005-06 total expenses, as seen in budget paper 2 at page 18, the minister gleaned this money out of the 2004-05 total cost and, in effect, it is just a rollover of funds due to ineffective expending of the targeted funds within the financial year specified for expenditure. What a failure in responsible management and service delivery!

In reality, the only new initiative that specifically concentrates on the housing sector is the new construction works referred to in budget paper 4 at page 323—the energy and water efficiency initiatives of \$1 million, to be completed by June 2006. The ALP indicated in its election commitments that it would offer \$4 million to upgrade public housing to make properties more energy efficient. The \$1 million is a one-off capital injection for 2005-06 only—an efficiency saving, ironically, in itself.

In terms of growth and improvement initiatives, the ALP committed to expanding the stock of public housing by accessing capital funds, at a cost of \$10 million a year for three years. The money for this commitment simply does not appear in the 2005-06 budget papers under what would be assumed as new capital works in budget paper 4 at page 323. I did note at question time that the Treasurer alluded to the fact that he would take a question on that on notice. I will hold him to that.

In response to calls to indicate where the money is located, the minister implied that it was not in growth funds that were to be found in the ALP’s 2004 election commitments; rather, it appears to be part of a funding initiative that was announced in the 2004-05 budget paper 3 on page 189, as part of the affordable housing initiative, of a capital injection of \$20 million over four years to provide Housing ACT with the funds to provide more public housing. Yet in the budget papers for 2005-06 there is evidence to

suggest that there will be a decline of approximately 500 in the number of public houses managed. Whether the minister declines to engage in page numbers—or handbags for that matter—at 50 paces is irrelevant; he has failed the public housing sector.

The ALP, in its efforts to do something new about homelessness and to give the ACT better neighbourhoods, committed to allocating \$100,000 to a feasibility study for the development of a drop-in centre for the homeless. That was not a new idea. The Liberal opposition called for homeless shelters as far back as 2003. I called for this initiative to assist homeless people to secure temporary shelter when they required it. We are going to spend \$100,000 just to see whether the government now thinks it is a good idea.

The minister said yesterday that he thought it was. He told me that he thought that my idea was a good idea. Why won't the government just go ahead and commit to the funding, to finding the funds necessary to build a centre for the homeless? When the feasibility study is over, we will simply see that it is feasible for the ACT to have a shelter that complements other components of the mix of housing services that the government should be offering to people most in need. That is a priority that should be high on the minister's list of initiatives for consideration.

Looking quickly at disability and community services, I welcome the new initiatives, totalling \$3.841 million, which continue the focus on high and complex needs, including autism—something about which I am particularly passionate, and I thank the government for that—and crisis intervention, along with community support. I believe that these are areas of the disability sector that require sustained ongoing funding. The additional \$3.29 million in funding for disability services, particularly for high-care options such as individual support packages over the next four years, is also welcome, but I question the true intent of the provision of the funding at this point.

It is patently clear that the unmet need was not identified as a serious enough priority of the government or, indeed, was underestimated and not tackled early enough in order to prioritise and target funding and allocate it to the necessary vital services that have a real impact upon the community. The shadow Treasurer alluded to that, too, and was misquoted in this place about, I think, early identification. The writing has been on the wall for quite some time. We needed to have dealt with some of these things much earlier, rather than leaving it to dealing with them all in one hit now.

I note that the minister is accepting some of the major reforms highlighted in the Gallop report regarding offering individual support arrangements for people with a disability, but I am concerned that with more focus being placed upon the need for funding, which will be difficult to find in the coming lean budgetary years, the families applying for the funding packages will still be forced to compete with each other to receive vital ongoing support. In reality, the apparent new program in the 2005-06 budget to increase the number of people receiving an individual support package is simply allocating funding to the severely disabled applicants who missed out in the previous funding round.

My colleagues have already made much mention of the broken pre-election promise—yet another—in relation to equitable funding for students with a disability in non-government schools. I am sure that we will hear more about that from the community in due course.

A specific budget commitment for women and girls that I sincerely welcome from the minister and the government is the one concerning the sustained effort to work towards bringing the problematic issue of domestic violence into the open in the ACT community. The increase in funding of \$482,000 over four years will mean that the program will be able to continue to work to address the effects of domestic violence on not only the family members living within the troubled relationship but also the community around them. I applaud the government for that.

This funding continues to provide assistance to the Domestic Violence Crisis Service and the Canberra Rape Crisis Centre, which support women and children experiencing family violence. It is important that the domestic violence support group attached to the Women's Information and Referral Centre continue to be maintained to respond to women who have suffered abuse from their partners and that they work in conjunction with the Canberra Rape Crisis Centre, which also convenes a weekly support group for survivors of sexual abuse.

I am extremely pleased to note that a community education program will be established to address the causes of violence. I am sure the minister will agree that it is simply futile to continue to fund initiatives that only deal with the effect. We must also begin to work with men's groups and men within the broader community to better understand why there is such a high level of domestic violence and violence in general in our community. I will continue to work with the government wherever I can and whenever I can to ensure that the level of domestic violence in our community is reduced and to provide assistance to both men and women who are in crisis.

With regard to indigenous issues, the ACT government has allocated more than \$5 million in new funding to support Canberra's Aboriginal and Torres Strait Islander community. I welcome the funding for an Aboriginal and Torres Strait Islander unit to service child protection and youth justice clients. The \$2.9 million over the next four years will provide the necessary culturally appropriate support and services to young indigenous people in the ACT. I acknowledge that the Chief Minister is committed to ensuring that every Canberra citizen has a decent standard of living and is given every chance to reach their full potential. I trust that these services will go a long way towards making inroads into assisting indigenous people to ensure that they live fulfilling lives.

The trial of an innovative sentencing option for indigenous offenders will continue. The allocation of an extra \$100,000 in this year's budget is a further recognised assistance package in enhancing circle sentencing. I am sure that my colleague Mr Stefaniak will talk more about that. I concur with the Chief Minister that the approach adopted by the Ngambra circle sentencing court is a positive way forward in ensuring that offenders accepted into the program can expect a personally confronting sentencing hearing and ongoing intensive community supervision of their behaviour. I feel that the goodwill of the court, the elders and all the justice system participants will augur well for ensuring continued success of the program and seeing that our young people particularly are kept out of the justice system.

The Chief Minister is to be applauded also for enhancing the efforts of the Office for Children, Youth and Family Support to assist young Aboriginal and Torres Strait Islander people. I agree wholeheartedly that there is an identified need to improve the

child protection services for indigenous youth and other young people in the ACT. The \$700,000 made available in the 2005-06 budget for the unit tasked to address this serious social issue to consolidate and expand is a step in the right direction towards providing support for young Aboriginal and Torres Strait Islander people and their carers, as well as case management support for young people at risk of abuse and neglect.

In closing, only time will tell how the Stanhope government will dig itself out of the deplorable situation into which it has plunged every one of us—a massive \$91 million debt. It is going to be a big ship to turn around. This budget from a government that promised so much to the Canberra community is very disappointing in many aspects.

MR STEFANIAK (Ginninderra) (5.28): Mr Speaker, the only ideas in this budget are deluded ones. It is a budget offering no real hope to the people of the ACT. The budget demonstrates the rather skewed priorities of the Stanhope government and its delusions of grandeur and grandstanding at the expense of sensible policy development.

Even the most casual observer of ACT affairs will have observed in this budget that its rationalisation of the need for toughness—for which one should read large deficits, cuts to services and hikes in rates, taxes and charges—is passing strange as we are hardly out of the door of economic prosperity, of huge windfall gains from stamp duty and GST. Indeed, well over \$600 million extra has come into the kitty over the last three years in real terms. Where has it all gone?

The man or woman in the street is likely to conclude that there has been grave mismanagement if the Stanhope government is already talking about having to budget for a downturn. What has happened to those considerable windfalls that have been received? They certainly have not been matched by peerless service in the ACT, witness problems in the health system and other areas.

Getting down to tintacks, let's consider some of the ways in which the budget will impact on some of the areas for which I have portfolio responsibility for the opposition. Firstly, the justice system. The creation of the Human Rights Commission really sums up what this Stanhope administration is all about. It sounds good in theory, but it is just a load of wind. It is all about creating a new layer of bureaucracy. It will have a top-heavy administration, with the president of the commission overseeing a number of commissioners including, it seems, a couple of new ones. It is all about an idea—in fact, a deluded idea. It is going to cost, I think, an extra \$1.2 million over the next four years. I think that it is a case of watching this space, as the cost will escalate.

The Chief Minister likes firsts. He likes having the first human rights act in Australia. He wants to make his mark on history. This commission will deliver nothing to the ACT except another bloated bureaucracy. It means that there will be another Tonkinesque position and five senior executive service positions. As I indicated, it will cost \$1.29 million over the next four years to establish. You can be sure that that will be just the tip of the iceberg. As a member of the legal profession said to me only a couple of days ago, what this new series of positions means is five more executive cars being driven home every night.

We of the opposition do not have any problems with the need for special commissioners, such as new positions for the Commissioner for Disability Services and the

Commissioner for Children and Young People. In fact, my colleague Mrs Burke suggested that there should be a commissioner for the family. But we do have a problem with having this new bureaucracy with its own president. One of Bob Carr's criticisms and my own criticisms of having a bill of rights, or in this territory a human rights act, is that it adds an extra load of bureaucracy for no real benefit. We have yet to see, and I suggest we will never see, any real benefit from having a human rights act in the ACT. It means that each government department will have to concentrate more and more on attending to the needs of the Human Rights Act with fewer resources as the bureaucracy is to have 260 positions cut. More of the scarce resources of each department will have to be used to fulfil the requirements of that act.

What does that mean? Does it mean that ultimately more people will have to be hired, at additional cost to government? Certainly, having those people do things in relation to the Human Rights Act will require extra resources and cost government extra money. The Human Rights Commission is just a rhetorical flourish—a statue, in effect, to the desire of the Chief Minister to make his mark. It is not going to make the ACT a better place or improve the access of the people of the ACT to justice. It is not going to do one thing to reduce the number of burglaries, robberies or assaults in our community. In fact, it could be said that the reverse will be true. The act panders to an excessive extent to the rights of criminals, to the detriment of the ordinary law-abiding citizen.

There is a need to look at the cuts that the government is making in this budget that will have an effect on the pointy end of justice in the ACT and have a real impact on people. Take a look at page 339 of budget paper 4. The Office of the Director of Public Prosecutions will take a cut in its relatively small budget of around \$750,000 next financial year. That is about 12 per cent of the budget of the DPP. It will decrease from \$6,497,000 to \$5,755,000. The office is responsible for bringing all the prosecutions in both the Magistrates Court and the Supreme Court in the ACT. Its smooth operation is critical to the administration of justice in our territory.

It is all very well for the Chief Minister to say that its costs are reverting to normal. As the annual report for last financial year will show, the demands of the DPP are not shrinking and there is no indication that they will shrink in the next financial year. If anything, it looks like they will get more and more complex and there will be more and more demands placed on that office, as has happened year in, year out for the last few years. What is the government doing? It is cutting expenditure in that area of its small budget by three-quarters of a million dollars and increasing it in another area which, I suggest, will do diddly-squat of real benefit for the people of the ACT.

Members will note as well on page 339 of budget paper 4 that the courts and tribunals will receive a cut of around five per cent in the forthcoming year. I will be interested to see where that cut is proposed to be made because it does come on top of the \$900,000 ripped out of the Magistrates Court last year, which resulted in the loss of 13 staff positions. It will be interesting to see where that further cut will fall there and how many more staffing positions will be cut. Is that something that will have an effect? I suspect that it will have an effect. The last staffing cut certainly caused some concerns to the Magistrates Court.

I will mention circle sentencing, as Mrs Burke has done. I think that it is a worthwhile initiative. I have absolutely no problem with the government putting in an extra \$100,000

there. I note that 14 offenders have participated in the trial so far. It is early days. It seems that it might be a program that could work well. I was interested to see that victims are able to participate. I just wonder how many victims actually have participated in the 14 matters so far. That is something that we need to monitor. Also, of the 14 offenders, how often have they broken the conditions of their sentence and have they reoffended? Those are questions that we need to ask as the program is monitored. But I think that the idea is worth pursuing. It has worked elsewhere and we have no problem with that.

There are other budget low lights that I will bring to the Assembly's attention. The government has at last acknowledged that the ACT prison, for which it allocated \$110 million in the last budget, cannot possibly be built with that money, though it has repeated the mantra of \$110 million again and again. The government is now adding \$18.7 million, supposedly to cover the rise in construction costs that have occurred over the last couple of years. As it is being delivered over the next three years, it will not even begin to plug the hole. Construction costs have risen 40 per cent since 2001, according to the Master Builders Association. One wonders just how much further they will rise. I fully suspect that this \$18.7 million will not go all that far towards meeting the real costs of constructing the prison.

But the coup de grace is that the Stanhope administration, while claiming again and again to have fully funded this prison project, has not allowed any money at all in this or any other budget for wages and operating costs. I think that is a real blunder. In fact, I hear the government has indicated that that will come out of the general government sector and unencumbered territory cash. Let's look at that.

Mr Mulcahy: There is not much of it left.

MR STEFANIAK: Exactly. Budget paper 3, at page 103, indicates that, whilst we have \$383 million in the current financial year, in the budget year we are talking about, 2005-06, it will be down to \$154 million and in 2006-07 it will \$24 million and in 2007-08 it will be \$42 million. That is not much at all. In 2001 it was over \$600 million. Is that where the money will be coming from for the extra cost of probably an additional 100 officers or so that will be needed in corrections to run the prison and all the areas of corrections that are currently being run? That is going to be at least another \$10 million, and I am probably being conservative about the additional number of people needed. How is that going to be funded?

There is also, of course, the case of Quamby. Despite the minister's promises on ABC radio on 13 April, it will not be completed now until June 2008. A month ago she was saying 2007; now it is June 2008. We also heard from the minister a while back that rebuilding would start in the middle of next year. How things change in a moment when the Stanhope administration have no idea and no hope! We will not hold our breath either concerning the feasibility study promised for next month. I note that only \$3.5 million is being made available this year for the first phase of the project and we are not yet up to the first phase, which is about planning studies and design of the construction.

I noted with interest that no funding is being allocated after 30 June 2005 for the coronial inquest into the 2003 bushfires. What does this mean? Is the government predicting that

the inquest will be stopped in the Supreme Court? Is any of this expense going to be covered by insurance? Will another supplementary appropriation be needed for the coronial inquest?

As for the Eastman case, ditto, no funding is being allocated after 30 June. Your guess is as good as mine, but I think that that is a classic case of wishful thinking on the part of this government. Anything to do with that case over a decade or more would indicate that. When is the case going to end? How long is a piece of string? It has cost the territory a fortune and it is wishful thinking to think that, as of 30 June, it is going to come to a conclusion. I hope that the government will be right on that one, but I would not put my house on it.

The honest man's conclusion could only be that the kitty is looking decidedly bare and the government is desperately looking at ways to cut back expenditure. But it can still find money for the usual rhetorical flourishes, the grandstanding and the political one-upmanship.

I turn to a couple of areas relating specifically to my electorate of Belconnen. I am pleased to see that the arts precinct is continuing. I am pleased to see that the consultation is going well there. That is an area in which the government seems to be doing its job quite well. I am disappointed that the needs of West Belconnen are not being attended to. For a couple of years, lots of people there have been wanting a skateboard park, which was in the 2001-02 budget for 2002-03 but, despite a lot of pressure on the government, their pleas have fallen on deaf ears. It looks like that facility will never be built by this government. I think that there is a real problem there.

I have no problems with the minister putting forward increases in gaming revenue in 2007. He anticipates extra revenue of over \$5 million then. I think that might be wishful thinking. The club industry is doing it tough and the money from gaming revenue is going down. What will happen if the minister is wrong as there are perhaps fewer clubs in 2007 and the \$5 million in revenue he is counting on simply does not materialise? You can't get blood out of a stone.

In terms of sport, you can see the same cutting back in basic services, the same failure to address real needs. Take the issue of the sportsgrounds that have been starved of water over the last couple of years. Many—I think 30 is the latest figure—can no longer be used by children for sports because they are now unsafe and 28 of those would have to be brought back before they could be used at all. Is the government doing anything to address the issue? The government has allocated \$1.2 million for its sportsground improvement program, but that does not address the most pressing issue of all, which is the lack of water for grounds. Whilst sportsgrounds around Canberra are unusable, or rapidly becoming so, all there is to be is an audit of irrigation systems.

I recommend to the minister for sport and his colleague the urban services minister that they listen to the experts. It is not rocket science. Even though we have a drought and we do not look like getting out of it for a while, you do not have to cut off 55 hectares of level 3 sportsgrounds. You can actually water them quite efficiently. You can go down the path of using grass such as couch and you can listen to experts, including the CSIRO, some of your own people and people such as Keith McIntyre, and manage to water these grounds and still have most of them basically usable. I commend that to you again.

The ACT dragway also is a casualty of the government dragging its feet on capital projects. There is no projected date for even starting it now and the government continues to make excuses about being unable to find a site or deal with noise and environment issues. As a result, nothing happens. So much for the election promise that it would be done in 18 months. A helpful hint to the government is that it should try to overcome the problems as they are not insurmountable: have a go.

Mr Speaker, is it not curious that, while basic services are being cut and taxes and charges are being hiked, the government can still find money for curiosities such as creating a bushfire museum, allocating another \$200,000 in the current budget to that, and spending money hand over foot to appeal against Coroner Maria Doogan? It just does not make sense, unless you say cynically that it is a government that is about public relations, about spin and about gilding a rather withered lily. You cannot keep doing that forever. I think the game is coming to an end and the Stanhope administration is being seen—rather slowly, perhaps, but being seen nonetheless—as one without clothes. That is a fact that is becoming painfully obvious to all.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (5.43), in reply: I will be very brief. I thank members for their contributions of varying standards. As for the Leader of the Opposition's contribution, I have to say that the challenge still remains: just give us some specifics. If we have been profligate, tell us what you would not have spent. Tell us if you would not have invested in bushfire recovery. Tell us if you would not have invested in the recommendations of the Gallop report or the Vardon report. Just be specific. If you do believe that we are headed for a \$200 million deficit in the upcoming financial year, just give us a bit of a hand. Just give us one number.

I am really going to get ambitious here. Before I close, I am going to have one last crack at getting through to Mr Smyth. It is put on a regular basis that I do not know about the economic cycle because we have a thing called a budget cycle. Mr Smyth, if you would not mind, I am going to try to tell you something. I do not know whether you have the basic education to understand it.

Mr Smyth: I am all ears.

Mrs Dunne: Are you writing it down?

MR QUINLAN: Yes, write this down.

Mr Smyth : Is it basic education?

MR QUINLAN: This is basic set theory.

Mr Smyth: You have to talk slower now.

MR QUINLAN: For you, I will, and I will use small words.

MR SPEAKER: Order! Direct your comments through the chair, Mr Quinlan. Cease interjecting, Mr Smyth.

MR QUINLAN: Assume an economic cycle. Pick any number of years you like—seven, eight, nine. We will call that a superset. That’s a mathematical term. Let’s divide that superset into rolling four-year subsets. Let’s call them the budget cycle. My challenge is: find me a set of numbers where all of the contiguous, rolling, four-year budget cycles are positive and you can still find a negative in the superset. If that is too thick for you, too heavy for you, go and get help. But what I am trying to get through—

Mr Smyth: I’ve got your chart.

MR QUINLAN: Right. That is the beginning. That was lesson one. Find some numbers; give me some numbers—

Mr Corbell: He has had to have remedial lessons.

MR QUINLAN: Yes. Shame about the education or lack thereof, Mr Speaker.

Mr Smyth: I was educated in the ACT.

MR QUINLAN: Not for long enough, obviously.

Mr Smyth: But you know better.

MR QUINLAN: I do. In this regard, I obviously do. I just want to try to communicate. You don’t give a continental whether I respect you or not.

Mr Smyth: Quite frankly, I don’t.

MR QUINLAN: I know you don’t, but I still try to communicate how silly you sound.

Mr Smyth: Oh, I sound silly now!

MR QUINLAN: You do.

MR SPEAKER: Order! Mr Smyth, please be quiet. Mr Quinlan, direct your comments through the chair. I have had enough of this.

MR QUINLAN: Sorry, Mr Speaker. I won’t take up any more of the house’s time because I think that Mr Smyth has closed ears. He has got hands over the ears and is saying, “La, la, la, la, la, I don’t want to listen.” As I said, I thank everybody for their contribution. We look forward to the alternative budget from the opposition. We look forward, at least, to some constructive contributions in the near future, otherwise what has been said today entirely lacks credibility.

Question resolved in the affirmative

Bill agreed to in principle.

Reference to Select Committee on Estimates 2005-2006

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (5.48): Pursuant to standing order 174, I move

That the Appropriation Bill 2005-06 be referred to the Select Committee on Estimates 2005-2006.

Question resolved in the affirmative.

Papers

Mr Speaker presented the following paper:

Quarterly travel report—Non-Executive MLAs—1 January to 31 March 2005.

Auditor-General's Report No 2

Mr Speaker presented the following paper:

Auditor-General Act—Auditor-General's Report No 2 2005—Development Application and Approval Process, dated 4 May 2005.

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (5.49): I ask for leave to move a motion to authorise publication of the report.

Leave granted.

MR CORBELL: I move:

That the Assembly authorises the publication of the Auditor-General's Report No 2 2005.

Mr Speaker, I have had a request from Dr Foskey as to whether it is possible to move that the Assembly takes note of this paper.

MR SPEAKER: It gets referred to the PAC in any event.

MR CORBELL: In that case, it is probably appropriate that, once the public accounts committee reports, the Assembly can then take note of both the Auditor-General's report and its own report.

Question resolved in the affirmative.

Working Families in the Australian Capital Territory—Select Committee Membership

MR SPEAKER: I have been notified in writing of the following nominations for membership of the Select Committee on Working Families in the Australian Capital Territory: Mrs Burke, Mr Gentleman and Ms Porter.

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

That the Members so nominated be appointed as members of the Select Committee on Working Families in the Australian Capital Territory.

Housing ACT Paper and statement by minister

MR HARGREAVES (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services): For the information of members, I present the following paper:

Financial Management Act, pursuant to section 30A—Quarterly Departmental Performance Report for the March Quarter 2004-2005—Department of Disability, Housing and Community Services—Corrigendum, dated May 2005.

I seek leave to make a short statement

Leave granted.

MR HARGREAVES: The original paper was tabled in the Assembly on 3 May this year. The first matter is the replacement of cost measures for output 1.1, public housing services and policy, replacing the earlier measures, which were the December quarter amounts that had not been updated. The notes explaining the variances between the target and the March quarterly measures have also been amended to reflect the March results.

The second matter is about amending the total costs in government payments for outputs reported at output 1.2, community and supported housing, to reflect the March quarter amounts. Note 11 explaining the variance between the target and the March quarterly measure has also been amended to reflect the March results. I apologise for any confusion to members.

Papers

Mr Stanhope presented the following papers:

Public Accounts—Standing Committee—Report 11—The General Agreement on Trade in Services (GATS) with special reference to the Australian Capital Territory (*presented 24 August 2004*)—Government response, dated May 2005.

Community Services and Social Equity—Standing Committee—Report 6—The forgotten victims of crime: families of offenders and their silent sentence (*presented 22 June 2004*)—Government response.

Legal Aid Act, pursuant to subsection 8 (4)—Commonwealth Legal Aid Agreement Direction 2005, dated 19 April 2005, together with an explanatory statement and an agreement between the Commonwealth of Australia and the ACT in relation to the provision of legal assistance services.

Mr Quinlan presented the following paper:

Australian Capital Tourism Corporation Act, pursuant to subsection 28 (2)—Australian Capital Tourism Corporation—Quarterly report—1 January to 31 March 2005.

Mr Corbell presented the following papers:

Calvary Public Hospital—Information Bulletin—Patient Activity Data—External Distribution—March 2005.

The Canberra Hospital—Information Bulletin—Patient Activity Data—March 2005.

Land (Planning and Environment) Act, pursuant to section 216A—Schedules—Leases granted, together with lease variations and change of use charges for the period 1 January to 31 March 2005.

Ms Gallagher, pursuant to the resolution of the Assembly of 24 May 2000, presented the following paper:

Indigenous Education—Ninth Six Monthly report—1 March to 31 August 2004.

Mr Corbell presented the following papers:

Annual report

University of Canberra Act, pursuant to section 36—University of Canberra—Annual Report 2004, including financial statements, dated April 2005.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Taxation Administration Act—

Taxation Administration (Land Tax) Determination 2005 (No 1)—Disallowable Instrument DI2005-60 (LR, 29 April 2005).

Taxation Administration (Rates Rebate Cap) Determination 2005 (No 1)—Disallowable Instrument DI2005-59 (LR, 29 April 2005).

Adjournment

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

That the Assembly do now adjourn.

VE Day

MR SMYTH (Brindabella—Leader of the Opposition) (5.56): I wish to bring to the attention of members that Sunday is VE Day, Victory in Europe Day, and that there will be celebrations all over the world. Just to correct the record: in the last sitting Ms Porter asked the following question:

Is the Chief Minister aware of any plans for the commemoration of the end of the Second World War?

Mr Stanhope, as is his wont, then proceeded to rewrite history. I would like to quote the paragraph from *Hansard*. It goes like this:

This major celebration or commemoration will occur over three days, over a weekend, from Friday 14 to Monday 16 May, being the time, of course, of the dropping of the second bomb on Tokyo, which heralded the surrender of Japan the next day and essentially signalled the end of the war in the Pacific

Of course, the war against Japan actually finished on 14 August, not 16 May, as the Chief Minister would contend. Indeed, a nuclear weapon was never dropped on Tokyo. I am not sure where the Chief Minister gets his information from, but if he is serious about commemorating the war efforts of those that served in World War II he needs at least to get his facts straight.

A few of the facts for the Chief Minister are: a number of Australians did serve in the European theatre of conflict. We sent three army divisions, the 6th, the 7th and the 9th divisions, all of which distinguished themselves in North Africa. The 6th, of course, fought in the Greek and Crete campaign. The 7th, which is often not remembered and is notably known as the silent 7th, served in Syria and Lebanon. The 9th division were the heroes of Tobruk.

Numerous navy vessels participated and served well. In the air force, we had numerous Australian squadrons in coastal command and in bomber command. Australians served, therefore, in North Africa, Greece and Crete, and Syria and Lebanon. It is interesting that a number of Australian destroyers and a couple of the Australian squadrons actually served on the Russian front, a fact not well known.

Many were taken POW; several ended up in concentration camps. One of our locals, Joe Gullett, who died some years ago was actually second in command of a British battalion on D Day. So Australians did distinguish themselves with great honour in Europe, as they did in the Pacific theatre of operation.

I think it behoves the Chief Minister, if he is going to get up and make statements, to get his facts straight because I think their service is very special to them and it should be very special to us.

Later this year, in August, we will celebrate VJ Day, as it is known, Victory against Japan Day. Again, there will be some enormous celebrations here which I would ask people to join in. But I hope one of the things we get out of VJ Day this year will be—and I think it is time—a monument to be built to the Pacific theatre of operations; they are certainly overlooked in history.

The efforts of the 8th division in Malaya, where they always held up their end of the argument, although they were forced continually to retreat against the Japanese and were finally taken prisoner in Singapore; the efforts of the forces on the islands, the Gull and Sparrow forces, particularly the 39th infantry battalion on the Kokoda Trail and then the island campaign; the services of the navy, the services of the army, the air force and certainly the nursing corps need to be remembered. There is not a specific monument on Anzac Parade to the Pacific theatre of operation. I think, on their 60th anniversary, it would be an appropriate time for such a monument to be put in place.

Human rights

MS PORTER (Ginninderra) (6.00): The ACT government may have been the first jurisdiction in Australia to pass human rights legislation. However, it obviously won't be the last. I would like to advise the Assembly that, in April, the Victorian Attorney-General, Rob Hulls, set up a consultative committee to consider how human rights might be better protected in that state. It is extremely encouraging and affirming to see other jurisdictions now exploring human rights issues. Mr Hulls is reported as saying:

Australia is the last developed nation to tackle the concept of human rights in a structured, formal way.

Mr Speaker, as you are aware, the ACT Human Rights Act has been in place now for about a year. Members probably remember the dire warnings and alarms raised by its critics prior to its introduction, such as courts being clogged with frivolous and vexatious matters, offenders dismissive of a system, politicians finding themselves constrained. The reality of course is that none of these dreadful consequences have come to pass.

What has happened, however, is what the Stanhope government has always intended to happen: we have seen growing consciousness of human rights at every stage at which the government interacts with Canberrans, to the benefit of us all. This is the sort of vision that encouraged me, as a long-time citizen and community activist, to run for public office and to seek a position in the Stanhope government. All existing legislation has now been examined to see that it complies with the act; administrative processes have been reformed; and all proposed legislation is now held up for scrutiny, as you are aware.

What has been the ACT's experience during the first year? Have we seen the negative outcomes as predicted? No, the results have been, and continue to be, very positive indeed. This government continues the process of better protecting the human rights of

every ACT resident. For example, as you know, Mr Speaker, during the last sitting weeks the government introduced to the Assembly legislation that will establish a new Human Rights Commission. The purpose is to draw together the Human Rights Office and the Community and Health Services Complaints Commission into a single office where concerns about health and disability services, community services and services for older people and discrimination can be addressed by a single entity.

Yet still we have the gainsayers from the other side denying any benefit; even more than that, actually saying this government's leadership in introducing human rights is a frivolous waste of time and money. However, this, of course, is only when it suits them politically. Indeed, when speaking in this place on 5 April, Mr Mulcahy said:

A lot of revenue has been wasted on political self-indulgence such as human rights legislation.

He said it again yesterday morning at the budget breakfast. Yet, when speaking against the motion moved by my colleague Mr Gentleman in relation to voluntary student unionism on the following day, Mr Mulcahy called upon the ACT to recognise the importance of the Human Rights Act. It would appear that, as usual, those on the other side of this house are very selective when it comes to determining their support or otherwise for initiatives of this government.

Finally, I would echo the Chief Minister's words recently when he said:

The ACT government is proud to have led the way on protecting human rights in Australia. I look forward to the day when this country has a national bill of rights but in the meantime am pleased to see that other states are considering state-based codes.

Football

MR SESELJA (Molonglo) (6.03): Mr Speaker, I had the privilege of attending recently the launch of a new season of junior soccer here in Canberra. I note there were a number of members from this place at the launch that day, and I guess that reflects the great interest in what is considered the world game, both here in Canberra and around the world. Indeed, it reflects the growing support for football here in Australia.

Football is one of the most popular games in Canberra, certainly in terms of the levels of junior participation. Many young, budding Harry Kewells and David Beckhams can be found on the playing fields of Canberra every Saturday, hoping that their local oval can become their own field of dreams. My goodness, who wrote that?

My son actually started soccer, incidentally, just on Saturday. It was wonderful to see. He did a fantastic job just having a go; I think he got a couple of kicks. But it is good fun and it brings a lot of kids and parents together on most Saturdays in Canberra.

I would like to note the steps that the body formerly known as Soccer Canberra has taken in changing its name to Capital Football, in line with the move by Soccer Australia to become the Football Federation of Australia. Capital Football incorporates not only junior football in the ACT but also the senior men's and women's competition, and they do a great job in the administration of football in the ACT.

I would also like to acknowledge the great work of Chris Grainger and the committee of the Gungahlin junior soccer club. I know they work to ensure that the children enjoy their matches every weekend, and I pay tribute to all the parents across Canberra who give their time for junior sport every weekend.

I know there have been some incidents over the weekend to do with football matches in Sydney between competing ethnic clubs. I would like to say that I think the Canberra football community will not have the same sorts of problems. I know that local supporters, whilst very passionate about the teams they support, can work together to promote a wonderful image of a successful and progressive sport.

I would also like to congratulate the Blue Devils club from Canberra for their win last night in the semi-finals of the continental knockout cup against the club from St George in Sydney. I understand the result of the match was three goals to one, and I hope that the Blue Devils will deliver a win in Australia's largest knockout football competition when they play the finals shortly. I understand that Capital Football is seeking that the final match be played in Canberra and hope to attend the match should it be held here and enjoy the win by the Blue Devils in that competition.

Budget—acknowledgment to Treasury officers

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (6.06): It is good to see that soccer is now represented in the Assembly.

I just want to take 30 seconds to register my gratitude and the gratitude of the government to the people in the Department of Treasury who worked on putting the budget together. Many of them have worked many long hours, over weekends, into the wee small hours of the morning. There will be somewhere in there a typo or two. I would ask, should members find them, that they do not necessarily make great sport of them. I think the service we get from Treasury has been tremendous and will continue to be so, I am sure.

Nuclear weapons

Women's International League for Peace and Freedom

DR FOSKEY (Molonglo) (6.07): Who would think in this year, 2005, that the world would be worried again about nuclear weapons? It is not as though nuclear weapons disappeared—we know it is not possible for that to happen—but there was a sense that, with the end of the Soviet Union, perhaps we were going to get a peace dividend. All that has changed, of course, with the kind of new world order which was anticipated by George Bush senior and which has been carried further by the kind of polarisation that is occurring in the world at the moment due, I suppose, to taking the eye off the ball, especially in regard to international treaties which control, to some extent, the proliferation of nuclear weapons.

So it might be of interest to the house to know that this month, in New York, the United Nations began its five-yearly review conference of the nuclear non-proliferation treaty,

which has played a major role in at least restricting the number of countries that have nuclear weapons. I would like to quote from the Medical Association for Prevention of War's press release:

We welcome the beginning of this important Conference as it offers a one in five year opportunity for concerted international effort towards fulfilling the two key aims of the NPT—both halting any further spread of nuclear weapons and the total elimination of those weapons.

However, MAPW president, Dr Sue Wareham, who is, of course, a Canberra doctor and a well-known and very highly regarded person, has expressed doubts about the possibility of this review conference to be a success in light of the aggressive politics of the United States and the other nuclear weapons states which demonstrate a one-eyed focus on stopping others acquiring those weapons without taking sufficient measures towards eliminating their own. Dr Sue Wareham says:

Australia and all other nations must choose whether we focus at this year's NPT Review Conference primarily on weapons that don't yet exist, or ... on the 28,000 plus that do exist. Without addressing the latter, non-proliferation is dead. And in the age of terrorism, that's frightening. The problem is that double standards have become so much a part of the global order that they barely raise an eyebrow.

The MAPW press release points out that, in February 2004, Russian President Putin, who professes strong support from the NPT, affirmed Russia's commitment to nuclear forces for some decades ahead. In May 2001, US President Bush stated:

We must work together with other like-minded nations to deny weapons of terror from those seeking to acquire them.

In the same speech, however, he stated:

Nuclear weapons still have a vital role to place in our security and that of our allies.

These are the two major nuclear weapons holding states and they are indicating that they intend to hold onto their nuclear weapons. Sue Wareham also says:

No awkward questions are asked of either leader, no need to explain such mind-blowing hypocrisy on the part of these two countries that, between them, maintain 96 per cent of the global nuclear weapons stockpile.

It is barely surprising, therefore, that this year's NPT review is threatened by increasing frustration on the part of many nations, that the treaty's promise of nuclear disarmament has not been fulfilled—not surprising, but of grave concern.

The NPT review conference will take place from 2 to 22 May and will involve 189 countries, only five of which have nuclear weapons. The only three nations in the world yet to sign the NPT—India, Pakistan and Israel, all of whom have nuclear weapons—will not participate in this conference.

Finally, on the topic of peace, I would just like to note a much more positive point. The Women's International League for Peace and Freedom, better known as WILPF,

celebrated its 90th birthday on 28 April 2005. I will take pleasure in sponsoring an event that WILPF is holding in the reception room next Tuesday afternoon.

Owen Finegan
Human rights
Blue Devils soccer team
Rugby union
Rugby league

MR STEFANIAK (Ginninderra) (6.11): Whilst on matters sporting, I would like to note—and I hope I will be joined by my colleagues in the Assembly—that Owen Finegan, or Melon as he is affectionately known, is leaving the Brumbies. His last home game with the Brumbies will be on Saturday. He is going to the United Kingdom to play there.

He is an original member of the Brumbies and he has had a remarkable career. He has scored 29 tries in his appearances in Super 12. He is going to leave some big boots to fill because he is about 197 centimetres tall and weighs in at 117 kilos. He captained the Brumbies in their historic win over the Canterbury Crusaders last year. He has given absolutely sterling service to the Brumbies, ACT rugby and Australian rugby during his time.

Who will forget, in 1999, the second try the Wallabies got in the final against the French—Melon's try when he went from about 20 metres at the back of a lineout onto a George Gregan pass and just literally bulldozed his way through, did the old Maori sidestep through about three or four French defenders and scored and put the game beyond doubt.

Being the absolutely versatile, splendid and talented forward that he is, I have no doubt that he will kick a field goal in his last game. I would certainly like to see him get a couple of those remarkable bulldozing tries that he has become so famous for. In fact, Justin Harrison, I recall, had never kicked a goal but converted a try and kicked about a 45-metre penalty goal in his last game with the Brumbies, before he went off and played with those other strange people in Sydney.

Melon will, hopefully, have an excellent last home game in Canberra. But I think we should all thank him and wish him well and particularly thank him for his great contribution to the Brumbies in particular but also to Australian rugby as this is his last season.

On a couple of other points: I would have to disagree with Mary Porter in relation to the Human Rights Act. I have actually referred about four people, with just ordinary, everyday sorts of rights problems, to the Human Rights Office, which has been unable to help them. So I just wonder how effective it is really going to be in terms of just looking after the ordinary person.

Mr Quinlan: A bit hypocritical of you, Bill, really.

MR STEFANIAK: You have to use it if you can, Ted. But I have been a bit disappointed that they have not been able to help them. So I just reiterate everything

I have said. I think we have not seen the last of some of the problems with this yet. Watch this space.

I was going to say something about the Blue Devils, too, but Mr Seselja has stolen my thunder there. I am patron and I congratulate them on making the final of the continental cup. They are also five points clear now in the premier challenge cup and, if they win their next two games, they will have a spot in the main semi-final. So good luck to them.

I must get Mr Seselja away from the world game, great as it is, and into the game they play in heaven. I warn all members that it is about time we took on the *Canberra Times* and the media again. They have won the Wally Cup twice. We have won it twice. I think they are rather keen to challenge us again. Mr Quinlan is probably stuck, with his knees. But Mr Seselja, I think, would make a fine rugby player of some description. So watch this space. I think we will be having a game in July, and members of either sex are most welcome, if they are interested, to see me after this.

Mr Seselja: That is rugby and Aussie rules?

MR STEFANIAK: That is veterans rules for rugby union, mate. Finally, on another code, I had the pleasure of going to a junior Mungo, that is, rugby league—a great game, too—carnival for primary schools the other day. My young bloke was playing for Belconnen. It was great to see a number of schoolteachers there who had trained the kids. They trained them on a number of days after school. They were from various schools throughout not only Canberra but also the Murrumbidgee. There was a team from the Murrumbidgee primary school.

It was a fantastic day, and I would like to thank all the volunteers, especially the teachers and the parents who helped out with all the various Canberra zone representative teams. To a young bloke from south Canberra whom I think has got a lot of promise, Nugget: keep going, mate, you are going really well, but do listen to the referee and obey him because you might have a few problems otherwise. It was great to see so many talented youngsters go around. Again, congratulations to all the teachers involved and the parents who helped out.

Holocaust Remembrance Day

Cultural facilities

MR MULCAHY (Molonglo) (6.16): Mr Speaker, I want to speak on two matters today. The first is a reasonably serious matter, that is, on this day the Canberra community is recognising Yom Hashoah, which is the Holocaust Remembrance Day. This is a topic on which I have spoken previously. This is an occasion on which we remember the victims and contemplate the lessons in fostering tolerance and community harmony, so relevant to our times. At the conclusion of the Assembly sitting today, I will be attending a service at the National Jewish Memorial Centre in remembrance of the victims.

On 7 January 1945, soldiers of Marshal Ivan Koniev of the First Ukrainian Front of the Red Army liberated Auschwitz, whose liberation is emblematic of the end of the shoah, the end of the Nazi industrialisation of death. Sixty years later, the Holocaust or shoah still casts a shadow over the family history of many people in Australia, and for some of them it is still a living nightmare. On 24 January of this year, an historic ceremony was

held at the United Nations—there were also other ceremonies held in London, Berlin and other capitals—with the world commemoration of the 60th anniversary of the liberation of the Auschwitz concentration camp and the need never again to let genocidal campaigns go unanswered.

The Holocaust is an important but very sensitive subject. It has the ability to draw out strength and faith from within, but it does carry with it an underlying fear of the unimaginable happening again. When these camps were liberated in 1945, the world was shocked by the horror and intensity of what had occurred—the organised execution of millions of people; a systemised, savage death sentence that had never been witnessed in the history of the world. Two-thirds of European Jewry lay dead. This was an unimaginable, horrible and unbelievable tragedy.

Jewish history is filled with many sorrowful tragedies. Some believe that the pain and sorrow of these terrible events dull with the passing of time. But this tragedy will never be healed by time, for these wounds are the lessons of exile. They are reminders that the Jewish people have a homeland and a destiny.

We must keep the memory of the Holocaust alive in order to prevent such a catastrophe ever happening again. During the past decade, the subject of the Holocaust has been introduced in schools and universities. Films and television programs have been produced, books and magazine articles have been written which portray, in most tragic terms, many people's experiences of the Holocaust.

In Israel, where I have had the pleasure of visiting—and I know some of the members here have also—Yom HASHOAH is a solemn day. Places of entertainment are closed, and memorial ceremonies are held throughout the country. There are ceremonies recognising some six million murdered Jews, and the country certainly comes to a complete halt whilst this recognition and remembrance take place.

As the years pass, those who are actual survivors of the Nazi brutality grow older and die. Soon there will be no-one left alive who personally lived through the Holocaust. So it becomes even more important to remember those terrible years and how they began and to remember how cruelty, hatred and discrimination led to violence, death and destruction. On this special day, Jews and non-Jews around the world will pause each year to remember. I would ask you also to remember and not to forget.

Just briefly in the time available, I would also like to make mention of another area of activity I have been involved with in my capacity as opposition spokesperson on the arts. I had the privilege recently to see some of the areas of activity that fall under the Cultural Facilities Corporation and was given a very comprehensive tour through the Canberra Museum and Gallery and the Canberra Theatre Centre.

Whilst most members have probably visited aspects of these facilities, to receive such a comprehensive briefing and such a detailed tour of those facilities left me strongly impressed. I know, Mr Speaker, you have special associations with that facility but I found, in my capacity as spokesman on the arts, a keen interest in what they are doing. The dedication of people working in our arts community comes through, and I would love to see even greater utilisation of those facilities.

The Canberra Museum and Gallery's exhibitions and vital work are to be commended, and the spirit of enthusiasm and dedication which comes through from staff associated with those very impressive facilities is something of which we can all be proud.

Holocaust Remembrance Day

MS MacDONALD (Brindabella) (6.21): Mr Mulcahy has put me in mind that, yes, tonight is the Holocaust remembrance ceremony at the National Jewish Memorial Centre and today is Yom Hashoah, which is a very significant, solemn and sombre occasion for anybody of Jewish heritage, which I am.

Members may or may not be aware that my maternal grandparents escaped Nazi Germany. My mother was born in Nazi Germany. My mother was actually born thanks very much to a Catholic hospital which took her and my grandmother in. Without that hospital taking them in, my mother would not have survived and I would not be here today. Some people may say that would be a good thing, but I had no option.

Mr Mulcahy talked about never again. I would certainly like to hope that it would never happen again. Unfortunately 2005, also in April, marked 30 years since year zero in Cambodia. While this was not done on the basis of religion, there was certainly huge slaughter of human beings. Before 1975 and since 1975 we have had numerous occasions where human beings have tried to wipe each other out. I just name the Tutsis and the Hutus in Rwanda. Over the eons, human beings have continued to do terrible things to each other.

I agree with Mr Mulcahy's assessment that Yom Hashoah is an incredibly important, solemn and sombre occasion. It is a reminder of the terrible things that human beings will do to one another. It is also, I think, a good time to reflect on the goodness that terrible events can actually bring out in other human beings.

One should never forget that, for bad things to happen, good people do nothing. I think that is the message that we all need to take away, to make sure that we do prevent human annihilation, human suffering, human torture of each other. Those of us who would seek to do good should stand up and say no when bad things are happening.

Question resolved in the affirmative.

The Assembly adjourned at 6.25 pm.

Schedule of amendments

Schedule 1

Pest Plants and Animals Bill 2005

Amendments moved by Dr Foskey

1

Clause 7 (2) (a)

Page 4, line 9—

omit

chief executive

substitute

conservator

2

Clause 7 (2) (d)

Page 4, line 12—

before

supply

insert

propagation and

3

Clause 9 (d)

Page 5, line 14—

omit

chief executive

substitute

conservator

4

Proposed new clause 9A

Page 5, line 18—

insert

9A Propagation of prohibited pest plant

(1) A person commits an offence if—

(a) the person propagates a plant; and

(b) the plant is a prohibited pest plant; and

(c) the person is reckless about whether the plant is a prohibited pest plant.

Maximum penalty: 50 penalty units.

- (2) This section does not apply if the propagation is done—
 - (a) by an entity prescribed by regulation; or
 - (b) under a permit.

5

Clause 13 heading

Page 7, line 8—

omit the heading, substitute

13 Permit to propagate or supply prohibited pest plant

6

Clause 13 (1)

Page 7, line 9—

omit

chief executive

substitute

conservator

7

Clause 13 (1)

Page 7, line 10—

before

supply

insert

propagate or

8

Clause 13 (2)

Page 7, line 11—

omit

chief executive

substitute

conservator

9

Clause 13 (2)

Page 7, line 11—

before

supply

insert

propagation or

10

Clause 13 (2)

Page 7, line 12—

before
supply
insert
propagation or

11
Clause 13 (3)
Page 7, line 16—

omit
chief executive
substitute
conservator

12
Clause 15 (2) (a)
Page 9, line 9—

omit
chief executive
substitute
conservator

13
Clause 17 (d)
Page 10, line 11—

omit
chief executive
substitute
conservator

14
Clause 22 (1)
Page 12, line 19—

omit
chief executive
substitute
conservator

15
Clause 22 (2)
Page 12, line 21—

omit
chief executive
substitute
conservator

16

Clause 22 (3)

Page 13, line 2—

omit

chief executive

substitute

conservator

17

Clause 24 heading

Page 14, line 2—

omit

chief executive

substitute

conservator

18

Clause 24 (1)

Page 14, line 3—

omit

chief executive

substitute

conservator

19

Clause 24 (3)

Page 14, line 17—

omit

chief executive

substitute

conservator

20

Clause 27 (4)

Page 15, line 21—

omit

chief executive

substitute

conservator

21

Clause 48 (a)

Page 33, line 4—

before

supply

insert

propagate or

22

Clause 48 (b)

Page 33, line 6—

before

supply

insert

propagate or

23

Clause 48 (e)

Page 33, line 13—

omit

chief executive

substitute

conservator

24

Proposed new clause 51A

Page 34, line 15—

insert

51A Delegation of conservator's functions

The conservator may delegate the conservator's functions under this Act to—

- (a) a public employee; or
- (b) an authorised person; or
- (c) a person prescribed by regulation.

Note For the making of delegations and the exercise of delegated functions, see the Legislation Act, pt 19.4.

25

Dictionary, note 2, new dot point

Page 41, line 6—

insert

- conservator of flora and fauna

26

Dictionary, proposed new definition

Page 41, line 18—

insert

conservator means the conservator of flora and fauna.