



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

28 June

2005

Tuesday, 28 June 2005

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Tuesday, 28 June 2005

MR SPEAKER (Mr Berry) took the chair at 10.30 am, made a formal recognition that the Assembly was meeting on the lands of the traditional owners, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Legal Affairs—Standing Committee Scrutiny report 12

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

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 12, dated 27 June 2005, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR STEFANIAK: Scrutiny Report 12 contains the committee's comments on one bill, 24 pieces of subordinate legislation, one government response and one interstate agreement. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Legal Affairs—Standing Committee Report 1

MR STEFANIAK (Ginninderra) (10.32): I present the following report:

Legal Affairs—Standing Committee—Report 1—*Report on Annual Reports 2003-2004*, dated 10 May 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.

MR STEFANIAK: I move:

That the report be authorised for publication.

Question resolved in the affirmative.

MR STEFANIAK: I move:

That the report be noted.

Mr Speaker, after the conclusion of the Fifth Assembly, the legal affairs committee, along with other committees, looked at annual reports and made three recommendations. I will come to those, but I wish firstly to make some preliminary points in relation to the report. The committee reported on agency annual reports in relation to the Department of Justice and Community Safety. If members look at page 10 of the report they will see a list showing the large number of areas for which the report is responsible.

Overall, we considered the report to be compliant with the Chief Minister's annual report directions. It is accessible, informative and comprehensive, but we do consider that future reports should focus a little more on critical analysis of data presented. For example, the large and unexplained drop in community hours worked by detainees and the jump from 75 to 258 in Court of Appeal listed matters have been left unexplained in the report, although explanations were provided at the public hearing. The explanations were logical, but something like that certainly should go into the reports.

Both the Comminute Advocate and the Director of Public Prosecutions voiced frustration with developing interagency protocols outlining approaches and responsibilities. Both also, as an important side issue, spoke about delays in establishing a better database to inform policy making, especially in sexual abuse matters. As government and its institutions become more complex, and since traditional approaches to accountability have been confined to an individual CEO or departmental level, it is the committee's view that it becomes increasingly important that departmental functions are undertaken in ways that are better coordinated, more integrated, simpler, and especially more client driven. Recommendation 1 states:

The Committee requests that relevant ACT Government agencies, under the supervision of the Department of Justice and Community Safety, develop workable inter-agency protocols, with a view to attaining improved data collection and reporting that is more consistent, focused and clearer.

Some of the major issues looked at became part of the report. The Director of Public Prosecutions responded to an initial written request on matters raised in the annual report. We adopted the approach that, if people wanted to draw particular matters to the committee's attention, they should do so. We wrote to all the agencies and the DPP was one that responded. One of the reasons for doing that was to ensure that things did not fall through the cracks and that, if an agency wanted to bring highlights to the committee's attention, the Assembly's attention or the minister's attention, it would have the opportunity to do so.

The major issues explored by the committee in terms of the DPP's report were the increasing complexity of the criminal justice system and the prosecution of criminal offences, as well as the increasing number of offences to prosecute, and the increasing pressures on the office of the impact of new technology, human rights issues and scientific advances, plus the increasing complexity of value reports and their requirements. The DPP mentioned a number of items and I will highlight a few of them.

In the overview to the report and during the hearings, the DPP provided a useful appreciation of the pervasiveness of trends such as human rights, circle sentencing and the criminal code within the legislative environment, plus the impact of extraordinary

events such as the Eastman and bushfire inquiries. Such matters have significant impact on resources and the application of justice. Also, similar types of matters are likely to crop up on a regular basis, thereby affecting the means by which that office goes about its tasks. I will speak a bit more about that later in relation to the budget.

We did note that that report was very well presented, providing good data and a thoughtful analysis in the way it addressed its working environment, raising issues and discussing data. The director did raise concerns about the annual report process itself, stating, "It is sometimes difficult to see the significance of some of the information required in this report." He suggested that more thought could be given to the genuine value of the information in such reports. I think that that is a pretty reasonable request. I do not think that we need to report things just for the sake of reporting them. It does take a lot of time and effort on behalf of agencies and I think that it is important to ensure that they report on things that are crucial to the running of the territory.

The committee also noted the director's concern that the ACT is the only jurisdiction without some form of the offence of constructive murder and that the ACT differs from other jurisdictions in that the mental element of the offence of murder is much more difficult to prove here than in most other jurisdictions. Page 13 of the annual report of the DPP states:

In the ACT it has been the law since 1990 that the prosecution has to prove, in relation to the mental element, that the accused either intended to kill the deceased or was reckless as to the probability of death occurring. In other jurisdictions it is sufficient that the accused had the intention to inflict grievous bodily harm.

The committee noted the difficulty of obtaining a conviction for murder in the ACT when death occurs during a serious unlawful event. The committee was concerned that this situation places Canberra citizens and the DPP at a disadvantage relative to other jurisdictions in Australia. The matter cropped up as a result of a person attempting to rob the Latham post office armed with a very large knife and being bravely accosted by the person who ran the post office. An elderly gentleman who went to the assistance of the post office person, a very brave act, paid for it with his life.

In any other jurisdiction the person who did the killing would be charged with murder. It is called felony murder or constructive murder. That did not apply in the ACT and a manslaughter verdict was brought in. Hence, the fact that we are the only jurisdiction not to have that type of offence was raised as an issue. Accordingly, the committee has recommended that the ACT government investigate the inclusion of the offence of constructive murder within the criminal law of the ACT.

The Legal Aid Office has a problem with ensuring that there are enough people to provide legal aid. Generally, the system works very well, but there were concerns in that regard. We noted the concern of the president of the Legal Aid Commission of the ACT, who stated:

Ever tightening purse strings have led to private lawyers opting out of legal aid work ... there remains a core of private legal practitioners who are prepared to do legal aid work and I express my gratitude to them for supporting the system. I hope that the Commission will be able to improve their remuneration. I am aware that in many instances they undertake legal aid work because of a feeling of professional

duty, rather than for financial gain. However, communities should not impose on lawyers to underwrite the delivery of legal aid. No other professional group is required to finance a Government social policy objective out of their own pocket.

That has been an ongoing situation for the Legal Aid Office. Indeed, I think that lots of lawyers take on the work as an obligation. We looked at that matter and came up with the recommendation that the government and the ACT Legal Aid Commission explore further measures to encourage more private practitioners to become involved in the provision of legal aid.

The Community Advocate put in her last appearance, as reported, and indicated that there had been significant changes and that, whilst there were problems with this annual report, she expected that the next annual report would show the benefit of changes. The committee expressed its thanks and wished her well for the future. That was her last formal function before that committee.

In terms of the AFP, we looked at things such a short and long-term trends in crime data; how to improve policing performances vis-a-vis the contractual arrangements with the commonwealth, such as by numbers, by performance agreement or by a combination of both; a different approach to targeting crime, the “pile-on” strategy and volume crime targeting such as Operation Halite, and the usefulness of close contact with recidivists and families, housing estates and schools; and police numbers in the ACT. From my point of view, they are certainly far too low. We have heard a lot about that in this place. Mr Speaker, I commend the report to the Assembly.

Question resolved in the affirmative.

Estimates 2005-2006—Select Committee Report—government response

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (10.41): For the information of members, I present the following paper:

Estimates 2005-2006—Select Committee—Report—*Appropriation Bill*
2005-2006—Government response, dated June 2005.

I seek leave to make a short statement.

Leave granted.

MR QUINLAN: The government is proud of the 2005-06 budget. It has been set in an economic and financial climate that continues to be tighter than that experienced by our predecessors. It continues to deliver on this government’s commitment while being both financially responsible and responsive to the needs of the community. This budget continues the substantial progress of the past four years, provides new programs and new funding for targeted services and continues to invest in our infrastructure.

I note with satisfaction that the government has delivered a budget that has received the select committee's endorsement to pass through the Assembly. The government thanks the committee for its support of the budget. The committee made 19 recommendations and the government has responded to all of the recommendations. The committee's report discusses a wide range of issues. I will not take up the Assembly's time working through all 19 of the recommendations. They are discussed in the response document. Nevertheless, I will touch on a few.

The committee has recommended that the government undertake a whole-of-government review of performance measurement. The government is committed to a program of continual review and refinement of the territory's performance management framework, with a focus on the information needs of all stakeholders. The government has made a significant improvement in the 2005-06 budget presentation in introducing revised performance indicators. Consistent with our existing commitment, this work will extend beyond one budget cycle.

During the development of the revised performance measurement framework, the government released two consultation papers. The first was aimed at initiating a discussion on further development of triple bottom line reporting in the ACT. The second provided specific advice to members of the Legislative Assembly on the proposed format of the new performance measurement framework in the presentation of future budget papers. With the exception of the sustainability expert reference group, no response was received to either of those papers. The government will continue to pursue improvements in the financial management framework and will provide opportunities for stakeholder input as required.

In recommendation 8, the committee has recommended that the government adopt a systematic approach to asset management. The government is committed to maintaining the long-term service delivery capacity of the territory's assets. As a part of that, agencies undertake significant asset management planning to form the basis of future service delivery and asset management projects.

All agencies undertake programmed condition audits of assets with a view to ensuring that asset management projects are guided by up-to-date information. A review undertaken throughout 2004-05, however, has indicated that this represents an area for improvement across government departments. The government has, in the 2005-06 budget, initiated a rolling program of funding for ongoing capital upgrades, linking asset management planning and practices to funding. It is, however, recognised that these processes can be resource intensive and will take some time to fully implement.

In general, the recommendations raised by the committee do not raise any serious issues that would prevent the passing of the Appropriation Bill 2005-2006, and I thank the committee for its consideration of these issues.

While I am on my feet, I would just like to make some passing references to, particularly, the dissenting report put forward by the two Liberal members of the estimates committee. I think that the first point that has to be made is about the claim that the government has made profligate use of windfall gains. The dissenting report goes on to talk about budget expenditure outcomes having exceeded budget estimates by

\$688 million. That is entirely wrong. It is a figure that represents a complete lack of understanding of the budget and accounting processes of the territory. The only other alternative is—how do I put it politely?—that it is an outrageous spin on the budget and a spin that would entirely mislead anybody who actually believed and accepted that that figure existed.

The truth is that we have a budget process, we bring down a budget, and, as we will today, we debate the associated appropriation bill. The appropriation bill is not exactly in the same amounts of money as the budget because the appropriation bill relates to cash, whereas there are some accounting provisions made in the budget, and then there are, as time goes by, quite a number of accounting adjustments that occur as measurement changes or as events take place that do not have to do with additional expenditures.

When additional expenditures are identified as being necessary there are then, of course, supplementary appropriation bills brought down, and even then not all of those appropriate funds that were not previously budgeted. I think most people understand that. It has been discussed in this place before that occasionally, for example, there have been wage negotiations which have been provided for in the budget but which have not been appropriated.

Mr Mulcahy: Gifts. Handouts.

MR QUINLAN: This is not nonsense, mate. You blokes really got it wrong; you really got it wrong. If there had been much more analysis of what you guys have said in the last weeks on the budget in our media, you would be, and should be, severely embarrassed at just how wrong you got it. You actually went out and tried to give this impression of a massive overspend that did not occur.

Let me talk to you about some of the changes that actually contribute to the difference between an original budget and the final annual report figure: for example, the writing off of assets destroyed in the bushfire, “a profligate misuse of windfall gains”. Assets destroyed in a fire no longer exist. Write them off and put it through the books. It goes to the bottom line, but it is not expenditure. The list can go on and on. The point is that the major part, the lion’s share, of the figure that you fools wagged about had nothing to do—

MR SPEAKER: Order! Withdraw that.

MR QUINLAN: I withdraw it, but let me say that it is disappointing to have to be involved in a debate about the misuse of figures for which there can only be two reasons: one, you do not understand; or, two, you wanted to mislead people. I think the first really applies.

I have seen Mr Smyth over the last few years embarrass himself when anywhere near numbers. But you would reckon that you would get a bit of help. You would reckon that you would get someone around you to read them to you if you cannot read them. It has to be a matter of record in this place that, in responding to the budget, both Mr Brendan Smyth and Mr Richard Mulcahy showed a complete misunderstanding of the process that successively they have supposedly been the shadow spokesperson for. God help us if they ever pretended to get near government!

There are a few other things in this report that ought to be addressed. We are accused, I think, of wasting money at Phillip Oval by Mr Mulcahy and Mr Seselja, while Mr Stefaniak supports it. We have a dissertation in the dissenting report on over expenditure in health, \$104 million being mentioned, and then in another part of the same 82-page dissenting report they would redirect some of the money we are spending into—where?—health. On the one hand, in their own paper, we are overspending on health and in the same paper they would spend more on health. This is the level of debate that we are facing.

When you go further through the report and see the criticisms of some of the community initiatives that the government has taken, you get a picture of what a Liberal government would be like in the ACT. You get a picture of no human rights. You get a picture of no inclusion. You get a picture of just sticking to helping business and cutting taxes and that is it. This would be a very sterile community, particularly if Mr Mulcahy got anywhere near the levers of power.

There is criticism of the various initiatives that the government have taken in promoting business and building the economy, and we have quite a number of initiatives, and we have had Mr Smyth in very recent times talking about spending money on a film industry and spending money on a fashion industry. At the same time, we have his own confederates criticising money that government would spend on business development. I just think that what we have in this dissenting report is just any old criticism you can think of without thinking it through and without even any consensus in the party room. Quite clearly, in many ways the dissenting report is at odds with the utterance of the hitherto Leader of the Opposition.

We have criticism about the sale of Williamsdale quarry, a Liberal government mess. We have criticism of TransACT. Who introduced TransACT to the ACT? Let me say that these days, I am happy to advise, TransACT is on a better business footing than it was, but let me also say that TransACT was introduced by a Liberal government. It even employed a former Liberal Chief Minister for a while in the heady days when money was going down the tube. It is now on a better business footing. We have criticism of the government because it owns a TAB. Let me tell you that if I had an opportunity personally to own a TAB I would, and I would not be selling it.

Overall, I think we can say that the 82-page dissenting report has been on quite a number of fronts ill-informed. That is the major criticism I have of the Liberal Party's reaction to the budget. It is totally ill-informed but, secondly, it does not reconcile with utterances that have come from the Liberal Party in the past and there has been no clear delineation of policy. We saw their election campaign, God help us, and it did not really give us much of an idea of Liberal policy. Mr Speaker, in some ways I look forward to the budget debate that will take up a considerable amount of the Assembly's time over the next couple of days because I really challenge the mob over there to reconcile the claims that they have made with the facts. I move:

That the Assembly takes note of the paper.

MR MULCAHY (Molonglo) (10.55): Mr Speaker, I would like to make some comments in relation to the government's response. Whilst we have had only a short

time to look at it, I think that there were some abiding messages that were not confined to the dissenting report, but went indeed to the broader committee report. The Treasurer should be concerned by that. It is interesting that the committee did focus on his windfall gains. Despite the deal that was made with Labor treasurers that under no circumstances would they ever look at a review of stamp duty on commercial conveyances, it is very clear that the view has been expressed—not just by the business community, not just by the property sector, but in fact by leading firms of economists who have examined this matter—that this is a reform that the Treasurer should have adopted within his budget as it would have made a significant difference to the ACT economy.

The tragedy is that the Treasurer is locked into that. He disclosed a bit of his thinking the other day with his dissertation on the works of a UK author on economics that I found fascinating. It was the best insight I had had in a long time. I am not sure whether he had read the book or whether it was a gung-ho adviser who was advancing the death of economics. I found it on the Socialist Alliance web site or somewhere and I love reading the reviews. It just did not seem to sit terribly comfortably with the philosophical view of the Treasurer. Nevertheless, we will deal with that on another occasion, I suspect.

Mr Speaker, there is one thing I just cannot come to terms with: it is the notion that we have heard repeated—we are now up to the sixth occasion, I believe; I am keeping track of them—by the Treasurer when he says, “Do not lower taxation because it will not do any good. It would only help the business community.” It is the old style trades hall notion that the bosses take all the money, put it under the bed or siphon it off somewhere, and it does not do any good for the workers.

Mr Quinlan: Send it to Sydney.

MR MULCAHY: It all goes to Sydney and nothing is done down here! Of course, anyone who has had experience in business, which is why I find it curious because I think that the Treasurer is one member opposite who actually understands a bit about economics, is fully aware of the fact that business needs to expand. You do not simply run a business and say, “We are not going to grow our business. We are not going to employ more people.” In fact, taxes do come into the equation. They come into the equation on a range of fronts. They come into the equation in terms of where you locate. How often do I hear it said to me, “Gosh, things are odd in Canberra, aren’t they?”

I heard it on the weekend. There were lots of business people here for my party’s conference and they just shake their heads about how people cope with the environment here, particularly in the industrial relations area. I am sorry that Minister Gallagher is not here to hear me because I know that she appreciates my advice on industrial matters. Certainly, the environment here is not conducive to setting up business, with a raft of measures being introduced all the time.

But, most particularly, we fail to take advantage in a tax arrangement. We had the revelation in the estimates hearings that the Treasurer had made a deal with all the other state Labor governments not to compete by way of tax measures. Canberra needs to compete. Canberra has a lot of disadvantages in terms of its capacity to compete with larger states and we certainly ought to be looking at areas such as stamp duty advantage compared with other states whereby we may encourage greater investment. We talk

about revitalising our city, but we do not reflect it in terms of a tax or an industrial relations regime.

Mr Speaker, the Treasurer is fairly dismissive of the sentiment contained in our dissenting report. It was not something that was lightly reached, but there is an abiding theme there, and it is the point that I think he misses in his criticism of overspending. I hold the view of Dr Foskey, who is not here at the moment, in the deliberations of the committee when it was in closed session. I like the tradition and respect the tradition that they are not necessarily for public airing but I will say that Ms Porter holds the view that was enunciated by the Treasurer—he may have provided that view—and I do not think they get the point.

The point is that we are not saying that the government is spending money that has not been authorised for expenditure or has not been appropriated. Our concern is with the constant trend of this territory government to spend more than it budgets for. It has been saved by the federal government's GST. I know that the Treasurer is very critical of the federal Treasurer and he calls me a right wing slavish follower of Mr Costello. I enjoy that description; it is quite entertaining. But the Treasurer does not have the honesty to admit that, due to his high-spending colleagues, he simply cannot live within the budget framework that he—

MR SPEAKER: Order! Withdraw that, Mr Mulcahy.

MR MULCAHY: Which remark?

MR SPEAKER: You said that the Treasurer did not have to honesty to do something.

MR MULCAHY: I am sorry. I withdraw that remark, Mr Speaker. The Treasurer did not have the capability, I suggest, to admit that, in fact, his problem is his high-spending colleagues from the left, who constantly present him with a problem as to his capacity to live within the budget that he frames each year. Fortunately, thanks to the tax system that this country adopted several years ago, we are being saved. But what worries me, Mr Speaker, is that that is also a reflection of a buoyant economy and, if we have a softening in that economy and there is no anticipation of it by the territory government, the \$91 million under the system of presentation, or \$350 million if you apply the GFS method, is going to be a bigger problem in years to come.

I was with some people yesterday who were in disbelief of the claim that all will be well next year. I will be pleased to stand up here next year, and say; "Gosh, my predictions were pessimistic and the Treasurer was right. We are bouncing back into the black and things are going well in the ACT." But I suspect that the Treasury forecast will not be fulfilled and I suspect that the Treasurer himself is unlikely to genuinely believe that all will be well at the end of the next budget cycle.

We will get to the detail as time proceeds over the coming days, but the estimates process was a revelation in many respects. I know that some were critical of lines of inquiry that we sought to pursue but I believe, as you acknowledged, Mr Speaker, when you appeared before the committee, that we should vigorously pursue inquiry through the estimates process. It should not be simply a rubber stamp. I make no apologies for

the fact that the members of the opposition on it, Mr Seselja and I, took the task quite seriously.

The time afforded the Assembly to review the government's budget is very limited. One would like more time. Certainly, it would be desirable to have more resources available. Notwithstanding that, the process was a revelation. I do not think a day passed when some new facet did not emerge about some ill-considered decisions that do impact on the bottom line of the budget. I was deeply troubled, and remain deeply troubled, over the revelations of the fringe benefits tax arrangements in Mr Corbell's department. It remains unclear as to how much of this initiative was the doing of the head of his department, Dr Sherbon, because he indicated that he had moved without conferring with the minister. I am troubled in relation to the 4,000 or so employees—

Mr Corbell: What a beat-up, an absolute beat-up!

MR MULCAHY: The Minister for Health says that it was a beat-up. I hope that his words will be remembered. It has been described as a beat-up and time will tell whether it was a beat-up or whether there will be significant issues emerging. But it does trouble members of the committee. We need transparency in the taxation arrangements impacting on government departments. When nearly a quarter of our entire public sector is provided with a new taxation arrangement, taking advantage of a loophole that they have looked for in the current fringe benefits tax arrangements, then I think we have cause to be disturbed.

Government should not embark on high-risk ventures, taxation schemes and the like. If they were undertaken in the private sector without reference to the tax office, I am quite sure that members opposite would be scathing in their criticism of those sorts of things. We hear cries about big business rorting the system and so forth. I have no sympathy for companies that engage in deceptive arrangements, tax avoidance mechanism or tax evasion. Be it on their own heads if they do so. But I think it is incumbent upon government to ensure that its affairs are conducted in accordance with the requirements under commonwealth law for taxation and not seek to transfer the cost of labour to the commonwealth.

Mr Corbell: Are you suggesting they are not?

MR MULCAHY: Certainly, there is some considerable doubt existing over those arrangements in terms of what is being embarked upon.

Mr Corbell: No, you won't say that. You just make the allegation. You just make the snide allegation.

MR MULCAHY: It is not a snide allegation. We will see what emerges.

MR SPEAKER: Order! Mr Mulcahy has the floor.

MR MULCAHY: Thank you, Mr Speaker. In the time remaining I will confine my remarks primarily to both the main report and to the dissenting report. There are issues that we continue to remain concerned about. The water abstraction charge legal advice is one. Some of it has been forthcoming, but I believe that there was more that we expected

to receive. If I am incorrect in that, because there were lots of replies, I stand to be corrected, but I think that we need to be very satisfied that the basis of those charges will be seen as constitutional and in order. I have had representation suggesting that there is a measure of doubt there because of the method by which it is applied.

Mr Quinlan, with his knowledge of Actew, may care to deal with that later, although I know that it is within the Chief Minister's area. There were issues that worried some members of the committee, including me. Whilst I am not professing to be a constitutional lawyer on matters related to excise, I think that there are concerns there that would only be fully satisfied if all of the legal opinions, some of which I acknowledge extend back to the former government, were made available.

Mr Speaker, there were also other matters of a general nature that we discussed. We were concerned over some of the indicators for different agencies in terms of client satisfaction. If you know much about client satisfaction surveys, you will know that anything that is not in the 90 percentile range is not a good score. We had agencies such as the library service aiming for 80 per cent. I understand that people, on the face of it, probably assume that they are good sorts of figures, but the fact of the matter is that that is not a good score and we should be aiming to do better. So the committee, in the collective, recommended that a minimum of 90 per cent be an ongoing future requirement of accountability indicators.

The matter of the ACT's policing was a subject of considerable discussion in the committee, as Mr Hargreaves will no doubt remember. There were concerns expressed. We were at long last able to see that, in fact, policing numbers are down. I thought that it was enlightening that one of his officials eventually confirmed that figure. Obviously, the committee would be fascinated, but I understand that it is going to be concealed or withheld, to see the report on the ACT's future policing needs once it is completed. I think that that is an area of concern to the public. I think that we would like to see the government get serious about its priorities.

The problem with this budget is that the Treasurer dismisses every criticism as ill informed and makes personal attacks on Mr Smyth.

Mr Quinlan: You got it wrong.

MR MULCAHY: He says that we all got it wrong, but what we have not got wrong here, Mr Speaker, is—

Mr Quinlan: You screwed up, both of you. Slide No 1, "I am an idiot."

MR MULCAHY: I am glad you acknowledge that you are one, Mr Quinlan. I would not be as personally abusive as you are of yourself. Mr Speaker, the real concern here is that it is an issue of priorities and the Treasurer sees good times ahead all the time. How did the land sales go last week, Mr Speaker? How much land did he move last week in this buoyant period that he is counting on being out there to fund the high-spending approach of his government?

The government needs to get back to basics in terms of its budget strategy. It needs to move away from the frivolous areas of extravagance, which it may have been possible to

sustain in a period of growing GST returns, but, of course, ought not to be the subject of priority when we have 5,000 people out there waiting for elective surgery. We will deal with health later, but Mr Corbell says that they have been clinically assessed—those are the words he likes to use—as not needing to be attended to for the time being. Tell that to somebody who is suffering from severe pain because they need a hip replacement operation. No, they are probably not going to die in the short term, but it is a very distressing position for many of those patients to be in.

We see inefficiencies in our health system. That is what the \$100 million excess spending is about. It is not that we are saying that it be cut by \$100 million. We are saying that you are not managing your budget efficiently. We had surgeons lined up the other day at the public accounts committee. They told us stories about how they could not even start an operation that would finish after 4 o'clock. We have this extraordinary underutilisation of operating theatres and what we are talking about as an opposition is about getting value for the money.

We are not going to be out there advocating the cutting of the health budget. Goodness me, we are going to have a growing problem in health as our community ages. But for heaven's sake, do not be nervous about making some tough decisions. The Minister for Health needs to get a handle on what is going on in his agency. The areas for which we hear constant criticism are the planning administration and the health portfolio and—surprise, surprise!—the same minister ultimately is responsible. These are areas that need to be tackled and we need to move from the luxuries that have been part of the government's approach to date.

Debate (on motion by **Mr Corbell**) adjourned to a later hour.

Standing orders—suspension

Motion (by **Mr Corbell**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent order of the day No 1, Assembly business—Report of the Select Committee on Estimates 2005-2006 and the Government response to the Select Committee on Estimates being called on and debated cognately with order of the day No 1, Executive business—Appropriation Bill 2005-2006.

Appropriation Bill 2005-2006

[Cognate papers:

Estimates 2005-2006—Select Committee report

Estimates 2005-2006—Select Committee report—government response]

Debate resumed from 5 May 2005.

Detail stage

MR SPEAKER: I remind members that this is a cognate debate. In debating order of the day No 1, executive business, Appropriation Bill 2005-2006, they may also address their remarks to the relevant parts of order of the day No 1, Assembly business, report of the Select Committee on Estimates 2005-2006, and order of the day No 3, Assembly

business, the government's response to the report of the Select Committee on Estimates 2005-2006.

Standing order 180 sets down the order in which this bill will be considered. In the detail stage, any schedule expressing the services for which the appropriation is to be made must be considered before the clauses. Unless the Assembly otherwise orders, the schedules will be considered by proposed expenditure in the orders shown.

With the concurrence of the Assembly, I am proposing that the Assembly consider schedule 1 by each part, consisting of net cost of outputs, capital injection and payments on behalf of the territory. Is this the wish of the Assembly? That being the case, schedule 1 will be considered by each part, consisting of net cost of outputs, capital injection and payments on behalf of the territory, then the clauses prior to schedule 2 and then the title.

Schedule 1—Appropriations.

Proposed expenditure—Part 1.1—Legislative Assembly Secretariat, \$5,199,000 (net cost of outputs), \$800,000 (capital injection) and \$4,300,000 (payments on behalf of the territory), totalling \$10,299,000.

MR MULCAHY (Molonglo) (11.14): I move amendment No 1 circulated in my name [*see schedule 1 at page 2408*].

Mr Speaker, there are several matters that are dealt with in the amendment that is presently being circulated and these have been prepared with the advice of the Office of Parliamentary Counsel, who assures me that these amendments are consistent with standing order 201 and the self-government act.

I might first deal with the matter of the Legislative Assembly. As we are aware, the Legislative Assembly sought extra capital funding for 2005-06 to enable a significant redesign of the public entrance, largely involving a change of the entrance to improve security. In addition, Mr Speaker, on the behalf of the Assembly, sought funding of an additional \$129,000 in this budget to address staffing and public sector management-type issues in the Secretariat and committee office.

The estimates committee assessed the staffing needs of the offices that supported the Legislative Assembly and recommendation No 12 from the estimates committee was that the government re-assign from within the budget \$129,000 for legislative staffing needs. Thus, my amendment here proposes to move \$129,000 from capital injection to net cost of outputs, amongst other matters.

Since this was a prevailing view of the committee, and not part of the dissenting report, I would hope that my colleagues—

MR SPEAKER: Mr Mulcahy, I have just taken some advice on your amendment, which I have just received. I will refer you first of all to a motion that was put by Mr Humphries on 23 November 1995. It goes as follows:

That this Assembly reaffirms the principles of the Westminster system embodied in the “financial initiative of the Crown” and the limits that that initiative places on non-Executive Members in moving amendments other than those to reduce items of proposed expenditure.

That motion was subsequently carried, I am advised. I now refer you to standing order 201:

A Member, other than a Minister, may not move an amendment to a money proposal, as specified in standing order 200, if that amendment would increase the amount of public money of the Territory to be appropriated.

I draw your attention to your amendment where you seek to amend the net cost of outputs in column 3 of schedule 1 to increase the amount from \$5,199,000 to \$5,328,000. That attempted amendment offends the motion moved by Mr Humphries and carried by the Assembly. I therefore intend to rule it out of order.

MR MULCAHY: May I speak to that, Mr Speaker?

MR SPEAKER: Yes.

MR MULCAHY: I would just advance the view that I was conscious of the requirement not to increase the budget overall nor to effectively change the bottom line but, if you examine each of the amendments that I have put forward here, they create, in effect, a neutral outcome. By making the changes that are suggested, the total appropriation remains unchanged in each of the four examples that are contained within the amendments. So I don't believe that it contravenes the decision to decrease the budget, which is not what we are asking in the context of this debate; nor does it seek to increase the value of the budget overall but simply to realign certain items that are being singled out within the context of my amendment.

MR SPEAKER: I have taken some advice from the Clerk on this. I take your point that it does not change the bottom line, but the motion that Mr Humphries moved, and it has been accepted as a motion of continuing effect in this place, is unequivocal. I will have to read it all again:

That this Assembly reaffirms the principles of the Westminster system embodied in the “financial initiative of the Crown” and the limits that that initiative places on non-Executive Members in moving amendments other than those to reduce items of proposed expenditure.

And what you have sought to do here is to increase it.

MR MULCAHY: If I were to reduce the amounts by a dollar, Mr Speaker, would that be consistent with that ruling? I would be seeking to move \$128,999 from capital injection to net cost of outputs.

Mr Quinlan: On a point of order, Mr Speaker: can I just point out that I think Mr Mulcahy is trying to shift money from capital injection through to operating expenditure, in which case he is hitting the bottom line, unequivocally—whether it be

\$1 or \$129,000—because it is capital as opposed to the actual budget expenditure, recurrent expenditure.

MR SPEAKER: We will get all these points of order out in the open and then I will take a breather to work on it.

Mrs Dunne: Mr Speaker, on a point of order: Mr Mulcahy's amendment does not change the overall appropriation for the Legislative Assembly by \$1.

MR SPEAKER: Mr Mulcahy has made that point.

Mrs Dunne: And that is a substantive point. Irrespective of whether it comes from capital or recurrent, what we are talking about is the overall expenditure. The overall allocation for the Legislative Assembly is unchanged. That it is consistent with the standing orders.

Mr Corbell: Mr Speaker, I wish to speak to the point of order. I am sorry to labour the point, but I have to support my colleague Mr Quinlan. The effect of Mr Mulcahy's amendment, if this amendment is carried, is that it will have a direct effect on the government's ongoing budget because it increases the amount of recurrent expenditure and reduces the amount of capital expenditure. Capital expenditure, of course, is a one-off item, a one-off cash injection, whereas the net cost of outputs is ongoing expenditure that must then be factored into the budget for future years.

That is the effect of Mr Mulcahy's amendment if it is agreed to by this place. It is contrary to the decisions made in this place on a number of occasions since self-government that only the executive can increase the overall amount of expenditure paid for the functions of the ACT government.

The motion is quite clearly contrary to the decisions of this and previous Assemblies and the principle of the financial initiative of the crown in this place as embodied by decisions of the executive.

Mr Smyth: If I made add to the debate, Mr Speaker?

MR SPEAKER: Yes, Mr Smyth.

Mr Smyth: This is a point we did check with Parliamentary Counsel, and Parliamentary Counsel were quiet explicit in that this Appropriation Bill only applies to the coming financial year. What Mr Mulcahy seeks to do does not alter the bottom line of Appropriation Bill 2005-2006. We checked; we asked that question.

We have advice from Parliamentary Counsel that assures us that these amendments are consistent with both standing order 200 and the self-government act. They have been drafted that way. If they modified the bottom line then, of course, there would be a fifth amendment that would modify that bottom line. We checked on this issue. What both ministers said is not correct.

MR SPEAKER: Thank you, Mr Smyth. I note the points that you have made but I am, however, drawn to the wide-ranging effect of Mr Humphries's motion of 23 November

1995. Mr Corbell and Mr Quinlan make points about recurrent and capital expenditure, but I think, in coming to a decision about this matter, I do not have to have regard to those points because of the wide-ranging effect of the motion by Mr Humphries. It is therefore my intention to confirm my earlier intention to rule this amendment out of order. I so rule.

MR MULCAHY: Mr Speaker, can I seek leave for an extension of time in relation to this item, given the time that was lost while this discussion took place.

Mr Hargreaves: It has been ruled out of order.

Mr Seselja: You are still able to speak to the line.

MR MULCAHY: I will speak on the substantive matter.

MR SPEAKER: There is a second lot of 10 minutes that you can use in relation to this debate.

MR MULCAHY: Mr Speaker, notwithstanding the ruling in relation to the amendment, I am obviously confined to making a plea to the territory government to look at the state of affairs in relation to the ACT Assembly.

MR SPEAKER: I take it that you're going to use your second 10 minutes.

MR MULCAHY: Yes, I am using that now. I would remind members opposite that the Auditor-General produced report No 10 on financial audits in which—and I quote not the opposition's words but the Auditor-General's words—she identified “significant weaknesses in controls (mostly in relation to payments) were found and reported to the Secretariat”. This is in relation to the Legislative Assembly. She found:

The cumulative effect of these weaknesses is that the Secretariat is at particular risk of errors and irregularities (including fraud).

The Secretariat's operating results have deteriorated significantly in recent years.

The Secretariat did not fully manage its Departmental operations to budget because its Net cost of services materially exceeded budget.

For the first time in recent years the Secretariat did not have sufficient current assets to meet current liabilities at 30 June 2004.

The point of these remarks is that—and I have said this now on at least two and possibly three occasions in the context of inquiries—we seem to be running this establishment on the smell of an oily rag, to use the oft-quoted phrase, and I am troubled that this is one area of government where, whilst I am not suggesting we go crazy in terms of expenditure, it is quite clear that, if the Speaker and his support seek additional funds to do the task of supporting the Assembly, then quite clearly they would not be making that request frivolously.

Whether or not they think much of the amendment I put, the principle remains the same in that a rather modest request for an increase of some \$129,000 was sought to provide

for staffing requirements; these requirements were sought as a consequence of a less than complimentary report from the Auditor-General; and, of course, the end effect of this being denied puts undue and, in my view, unreasonable pressure on the staff that are employed in this establishment to support the needs of the people in terms of implementation of the decisions of the Assembly and the needs of our members, particularly non-executive members on both sides of the Assembly.

When you do this to people, when you take an unreasonable position in terms of their operating budget, then the inevitable outcome is that services will continue to suffer. Whilst I accept that probably politicians are not the favourite species in our community in terms of what they cost and what funds are made available, I do believe that even the most cynical view out there at large would be that we should have appropriate resourcing to do the task at hand and that those people who work in this Assembly should be given the essential tools of trade to do their job.

We saw, in the course of estimates hearings, that, in fact, to live within their means, they have now had to forgo a position in the Secretariat. That, of course, further limits the capacity of this Assembly to do its task and to ensure that the work of the committees is adequately implemented. I have been publicly questioning whether the committees are adequately resourced—I do not think they are—to do the sort of task that we have. To see those resources further pruned back for a Secretariat that is struggling to make ends meet is something that troubles me. The tribunal has seen fit to improve the pay of members of the Assembly but, in the same breath or coincidental with that, the government takes a view of maintaining a very harsh view in terms of the Assembly's resources.

The committee's decision—and this is not a dissenting report but a committee decision—was that we should seek that these funds be made available. It is within the capacity of the government, I believe, to deal with that quite modest request in the total scheme of things. I would hope that the government might weigh up that demand, weigh up the fact that their own Speaker, a member of their own party, has put forward this request for funds and take into account the needs of those staff who are working in the Assembly and attempting to do their job with diligence, I am sure.

We need to be cognisant of the Auditor-General's report. There was an expectation that certain additional functions were required to ensure financial integrity in the system. I think that the achievement of the Auditor-General's recommendations must seriously be put at risk if we simply take a view that such a small and relatively paltry request would be denied.

I will conclude at that point on this area, but I would hope the government would reconsider the way in which they framed that appropriation.

DR FOSKEY (Molonglo) (11.30): Mr Speaker, there is no doubt that, for parties who are not in government, the budget provides a lot of frustration in that very often we, especially if we have been through the estimates process, can see ways in which the money could have been differently spent. Indeed, the majority estimates report does make a particular recommendation in regard to this one.

Nonetheless, before I respond to this particular line in the budget, my own thinking about whether to agree to Mr Mulcahy's amendment is that we do need to be quite careful. It is out of order, I know, but I still want to say this because it perhaps gives an indication of how I might act later this week. I do think that we need to be careful about the blurring between the government and the Assembly.

I guess the budget is the government's major tool for enacting its program, which assumedly it went to the election with. We have got some comments about that, of course, which we will make later on. Nonetheless, I do believe that it is up to government to have control of the fine detail of the budget and it must take responsibility for that. In a sense, of course, as someone who is not responsible for the budget, that does make life a little easier and gives us that righteous role of criticism.

Our approach is that, where we do not like part of the budget, we might ask the government to go back and rework those areas. I am just remembering and being reminded that the Liberal government itself did this when the Assembly refused to pass a budget during the Liberal Party's period of governance because that budget had the supervised injecting room in it. What happened was that the government was asked to go back, which it did. As a minority government, it could chose whom it would speak to from the crossbench and it chose to negotiate with the right wing independents rather than the more progressive members. Thus we saw the demise of an initiative which could have saved lives and provided a pilot study for the rest of Australia. I did not raise that to talk about the heroin trial but to talk about ways that the Assembly has acted in the past.

As a member of the estimates committee, a member of the public accounts committee and a member of the Standing Committee on Administration and Procedure, I would like to note my support for recommendation No 12 of the estimates committee that suggested that \$129,000 be reassigned for the Assembly Secretariat staffing needs. I do note that the government has rejected this recommendation but I feel that, as a result, there will be unsustainable workloads for a number of people in the Secretariat and in other positions in the Assembly because the work does not change; it has to be done. I think we all appreciate that it is done extremely well and makes the life of us, as members, an awful lot easier. I am sorry that we have not seen that reassignment of funds, but I would hope that next year we might see a few more resources for the Assembly.

I would like to take this opportunity, too, to highlight the estimates hearing discussion on the introduction of an environmental management system in the Assembly. Understandably, I am sure members will not be surprised to know that this is a move that I greatly support. The Secretariat was able to advise in the hearings that a number of measures were in place, that improvements had been made in regard to energy efficiency and that the clauses in the forthcoming new cleaning contract would reduce the amount of waste going to landfill. On the other hand, the Secretariat also advised that in the past it had not been able to document the improvements achieved by these measures. We believe an environmental management system would allow the Secretariat to document existing measures and set targets for future measures to make the Assembly an example in management for sustainability. Anyway, I understand that this matter will now be progressed by the Assembly administration and procedure committee.

I am pleased that this will take place, but perhaps we need to recognise that, to do this properly, we will have to allocate some resources to it. In the context of a tight budget, some might see this as a lesser priority, but in the long run it will reduce our yearly expenditure as well as reduce our environmental impacts.

A key part of an environmental management system, as opposed to isolated initiatives, is that an environmental management system builds in a mechanism to quantify actual resources used, savings made and the cost benefits. This is an issue that I hope we can progress over the next year.

MR PRATT (Brindabella) (11.36): Mr Speaker, the total cost appropriated to the Legislative Assembly Secretariat for 2005-06 is \$10.299 million. That includes a capital injection of \$800,000 which is for building improvements, security upgrades and an upgrade to the public entrance, \$200,000 for new capital works and \$600,000 for works in progress. The problem is that we do not yet see any evidence that the works in upgrading the public entrance and security upgrades are actually in progress. The May 2006 completion date, as stated in budget paper 4, page 3, for this work has not been guaranteed either.

Mr Speaker, you gave little confidence to this completion date being achieved when you said in the estimates hearings that there were some interesting management issues to tackle if this completion date was to be achieved. These upgrades are important work that needs to be completed as soon as possible to ensure both the safety and amenity of those who work here and the members of the public who visit the building.

During estimates hearings we heard that some of these upgrades have been delayed, for various reasons. I am concerned that the security upgrade, in particular, should have been completed by now. I understand that a security review of earlier designs meant that the previous plans for an upgrade to the Assembly entrance were no longer adequate and so had to be redesigned. However, it is some years since the original designs were meant to be implemented. I hope we do not see more delays, as the security of this building does need to be addressed urgently.

Mr Speaker, again referring back to the estimates, you said that you had a number of bids in the 2005-06 budget which were unsuccessful in terms of the building's improvements, given that the Assembly is such an old building. But you then justified the lack of success in achieving the desired funding by arguing that you understood that it was a time for constraint, given that it was such a tight budget year, and that other departments would surely be subject to the same constraints.

I do refer to the Auditor-General's report that discusses the matter of priority for upgrades in the Assembly, which my colleague Mr Mulcahy has already spoken to. That that report should be ignored in the pursuit of such tight constraints is peculiar and disappointing. However, it does appear that there has been little such constraint shown in other portfolio areas, such as the allocation of \$12 million for the Chief Minister's pet arboretum project and \$6.7 million for the transport minister's real-time information system for buses.

I do find it amazing that the security of this Assembly is not paramount—the building in which, of course, these ministers, our staff and others work, and to which the public does come and deserves to be able to safely observe the Assembly's work in progress. I say that against the increased threat of terrorism to Australia. While I have no intention of talking up this threat, it would, nevertheless, be irresponsible to downplay it and then ignore the security climate as a factor when we planned the Assembly's operations against that background. Instead, it would seem the government would rather see funding directed to major ideological pet projects which they feel will buy them more votes.

Speaking of ideological pet projects, such as arboretums and the human rights commission, taking precedence over essential tasks such as government building security, I was tickled pink to hear the Chief Minister on radio today accusing a couple of my colleagues here of being ideological because they dared to question the Chief Minister's water management priorities. The irony and symmetry of all that is breathtaking.

Recent events at various embassies in Canberra have shown that there is a security concern, it is a legitimate concern and, therefore, this is an essential function that should be factored into the budget. As the home of local parliament, the security and adequate functioning of this building should receive, certainly, priority, although, as I say, this security threat is relatively low compared to other ACT targets. As an Assembly located in a high-risk target district, though, the security question, as I have said before, cannot be ignored.

The \$300,000 funding received for the security upgrade and the additional \$300,000 for the new entrance will, I suspect, barely cover the basics. In fact, I believe the amount of funding actually sought was \$740,000, as revealed in the estimates hearings. That is what we found was the operational need to achieve those objectives, and that was clearly stated in the estimates. So I do not see how \$300,000 will be adequate when, clearly, it was less than half the funding actually required to do the job properly and to properly increase the security of the building.

If this Assembly, its members, staff and visitors cannot be provided with a safe and secure working environment as a high priority, then one has to question the commitment of the Stanhope government to security issues in general. This, too, reflects their inability to prioritise funding for fundamental areas of need such as provision of finances in the 2005-06 ACT budget for the security upgrade and adequate maintenance of the ACT Legislative Assembly building.

My other concern is the uncertainty around whether or not an alternative entrance will be able to be used to ensure that the normal business of the Assembly is not interrupted. If we shut down the main entrance to the building, then we really do need to ensure there is an alternative access in addition to the members' entrance. I got the impression in estimates—and I hope this is not the case, and perhaps this can be clarified later—that there was no alternative plan. I do not mind wandering in through the back door, carrying a briefcase, tripping over paint tins; that is all right, provided we can do that safely. It is much better that we at least maintain some sort of a functional entrance. I do not think that is going to be the case.

To conclude, Mr Speaker: it is good that there are moves to improve security and to upgrade the look of the public entrance to the Assembly. Certainly these are issues that are overdue and have been dragging for quite some time. However, it is my concern, from an 2005-06 budget point of view, that the 600K capital works funding for this project is not sufficient; that it is not sufficient for undertaking such work properly; and that the works will not be completed by the forecast completion date of May 2006.

Of course, there are the other concerns raised about increasing the resources in this place to better serve the members. Certainly we need to provide additional resources so that our staff can do a better job to support MLAs. I would hope that more urgent adjustments are taken in future to look to that concern as well.

MR SPEAKER: Before we press on, can I acknowledge the presence in the gallery of 75 students from Gordon primary school, years 5 and 6. Welcome!

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (11.45): Very briefly, Mr Speaker, just responding to Mr Pratt's concerns regarding security, if I could just add something to it: each time I come here I think threats to my wellbeing are greater in the area of psychological damage than they would be in relation to physical harm. I guess the only other thing we can draw out of this is—and let me say to members that I have worked on committees, I have chaired estimates committees, I have chaired the public accounts committee and have conducted certain inquiries, as chair of the public accounts committee—that I recognise the work that the Secretariat does.

It is now staple for each of the members, as they report to the Assembly on committee findings, to recognise the work that the Secretariat does and recognise the work that the Secretariat does in very short time frames from time to time. However, we also have to recognise that there is the distinct prospect of Parkinson's law operating within the resources that are available in as much as we do seem to get things done on deadline anyway. I think that, if members do recognise the workload that Secretariat staff do carry, we ought take that into account in the way we work on the committees and get a little bit more disciplined, if need be.

I do want to recognise—and I think it should be recognised—the caring attitude toward Secretariat staff that was embodied in Mr Mulcahy's speech. I am sure that, if we could all emulate that attitude, we would all work a whole lot better together.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.2—ACT Executive, \$4,749,000 (payments on behalf of the territory), totalling 4,749,000.

MR MULCAHY (Molonglo) (11.48): I do not have too many comments on this area of expenditure and there were not a lot of issues that emerged within the estimates proceedings, but there was concern in relation to this matter, which provides the ministerial support, that employee expenses in the executive had increased by 30 per cent in 2003-04 and by 24.5 per cent in 2004-05. By contrast, the increase in 2005-06 was

estimated at only 1.3 per cent. Because of the rather dramatic changes in figures it did raise questions as to how this could have occurred.

At the time neither the head of the Chief Minister's Department nor the minister was able to explain these disparities, but in replies that were provided to questions on notice it was explained that this is a consequence of bringing a fifth minister into the cabinet process. It was contended that, with a normal pattern of growth, the new rate of growth contemplated would be the pattern for the future.

It left, still, however, an absence of an explanation as to why this would have occurred over two years. That question does remain unanswered. I know there is an explanation, but I am just a little intrigued as to what the explanation is if the fifth minister point of view is advanced.

There was also a matter raised that seemed to come up on a number of occasions through estimates—and it was partly because the chair kept wanting to keep the detail of this out of our report—which dealt with an issue of disclosure to a third party of information that was made by way of representation to the Chief Minister by an aggrieved constituent within Reid. Without canvassing all of the planning and heritage issues which are the subject of that person's distress—and I am not as close to that matter as Mr Seselja and Mr Smyth are—there was a concern that information that was taken in good faith to the Chief Minister by a staff member was relayed on to interests outside of government. That was a matter of some concern. That was secondary, really, to the central budget issue in this category, but that was the only matter that we had some concerns about.

MR SMYTH (Brindabella—Leader of the Opposition) (11.51): The component of \$4.8 million is a relatively small amount in the overall budget, but it is important to focus on it. It deals with the roles of ministers and their staff and their ability to do their jobs; so in that regard it is exceedingly important. A particular issue I think is the scrutiny of the activities of ministers, such as the nature and relevance of their travel, for example, overseas trips that they might undertake. On this side of the house we have always maintained, of course, that overseas travel is important but must be appropriate.

I want to comment briefly on the point raised by Mr Mulcahy about the issue of privacy when constituents approach us. We were approached by an individual who had sought ministerial meetings with, at that stage, Minister Wood, Minister Corbell and the Chief Minister. He was unable to see any of the ministers and was eventually able to see one of the advisers of the Chief Minister. He told that adviser certain details, which were then relayed to a residents group.

We believe that is entirely inappropriate and that there should be serious concern about the behaviour in that case—making information known beyond that which is given to us in our position as an elected representative of the community. I think the issue that was raised in estimates will be ongoing. It will certainly be pursued by the opposition because there are still answers to be obtained there. There is certainly no closure for the family involved, that has been through a process lasting more than 18 months. The point we would simply make here under “ACT executive” is that all members need to be aware that their staff must maintain the privacy of information given to them by our constituents, and that that applies equally to ministers as it does to backbenchers.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.3—Auditor-General totalling \$1,380,000 (net cost of outputs), totalling \$1,380,000.

MR MULCAHY (Molonglo) (11.53): This is an area of some concern to members of the opposition and also to members of the committee. I am delighted to see Ms MacDonald and Dr Foskey in the chamber. They would be very well aware, as members of the public accounts committee, of the critical role played by the Auditor-General. Members should be aware that the Auditor-General sought additional funding for three performance auditors to improve the capacity of the office to do performance audits and investigations; that is, to be able to monitor, in an effective fashion, the work of government and what they are doing with taxpayer dollars. Indeed the estimates committee—and, again, it is the committee, not just the dissenting report by Mr Seselja and me—in recommendation 11 said that the government should provide additional funding to the Auditor-General's Office in line with the recommendations made by the Standing Committee on Public Accounts to the Treasurer in its letter of 24 March 2005.

I realise that this government would not be the first in living memory to have an aversion to performance auditing, for the obvious reason that it puts pressure on them to improve accountability in the delivery of services. The government's denial of adequate resources for the audit office in this budget smacks of self-protection and of putting its own interests ahead of those of the community, especially in light of support for additional resources from a three-party committee of the Assembly. The committee, made up of a member of the government, a Greens member and an opposition member—namely me—agreed that these additional funds should have been made available. Indeed the committee recommended that additional funding be provided for the Auditor-General's Office. That certainly should have been increased by \$0.375 million in the 2005-06 financial year; by \$0.426 million in the 2006-07 financial year; by \$0.446 million in 2007-08; and by \$0.468 million in 2008-09. This was the request, and it was supported by the committee.

I certainly will be looking forward to hearing the support, I would hope, from Ms MacDonald and Dr Foskey for this recommendation, given the fact that they felt confident in supporting this proposal. I will be particularly pleased to hear what the Treasurer has to say as to why the additional funding sought to do the job of ensuring adequate scrutiny of the government was knocked back. I think it is trite to simply say, "Times are difficult, we have got ourselves into some strife; we are chopping out things here and there." The Auditor-General can, in fact, play a critical role in ensuring the efficiency of government; in ensuring that the dollars are prudently spent; in ensuring that taxes and fines and the like are collected in the best and most efficient manner; and in ensuring—in summary—that the taxpayer is receiving value for money.

The recommendation made was not taken lightly. It was probably the most significant recommendation out of both the estimates committee and the dissenting report, because it goes to the heart of government accountability. In a situation with a majority government there is limited scope for scrutiny of government. The duration of the debate over the next several days will be largely determined by the government's wishes and what they determine in relation to their position.

The time available for estimates committee processes, annual reports and the like, is fairly contained. We would like to hear some form of explanation from the Treasurer—and it was a rather late reply we received, after the Auditor-General appeared, to say that they were knocking back these funds—as to why this absolutely critical function of government is being denied the required resources which, again, are relatively modest in the scheme of things. It seems that some of these modest but critical resource needs are constantly rejected by the Treasurer.

The opposition believes that that committee recommendation should have been supported. Obviously I am not in a position to make an amendment, based on your ruling, Mr Speaker. I would have amended that area but it cannot be done. I certainly hope that the sentiment conveyed by an all-party committee recommendation will be more appropriately considered by the Treasurer and the resources found to support the critical functions of the Auditor-General's Office.

DR FOSKEY (Molonglo) (11.58): Like Mr Mulcahy, I am also concerned at the rejection of the Auditor-General's continual requests to the ACT government for more staffing funding. Nonetheless, I acknowledge the office's delight in its new premises. I am pleased that there has been some progress in the office's fortunes this year. The Auditor-General stated in the estimates hearings that her office needs three additional performance audit staffers to allow for an additional three major audits per year, plus two or three different types of reviews and investigations. It appears difficult for the Auditor-General's Office, at this point in time, to deliver services beyond its statutory obligations, which of course must be a matter of priority. Issues such as public interest disclosures are becoming unachievable for the office due to its limited staffing.

As a member of the public accounts committee perhaps I had more opportunity than other members of the Assembly to study the Auditor-General's reports in some detail. I have to say that they provide an expert, useful analysis of areas of governance that the government is unable, or unwilling, to examine.

I am concerned that the ACT government is limiting the ability of the Auditor-General to analyse the report on government operations. By so doing the ACT government is, in effect, limiting its own level of accountability and transparency to the public. This matter has been highlighted through the estimates committee's report and in the public accounts committee's recommendations. I hope the government will respond in a responsible manner to this issue and consider providing extra staffing to the Auditor-General's Office in the next round of appropriations.

MS MacDONALD (Brindabella) (12.00): I agree with the assessment by Mr Mulcahy that the Auditor-General provides a valuable role and that its role is to scrutinise the functions of government. From the way Mr Mulcahy was speaking, though, one would think this will no longer be done if the Auditor-General's Office does not get the additional three performance auditors requested. Certainly the public accounts committee did make the recommendation, as it is required to do; it looked at the budget bid by the audit office; and we put in a letter of support for that to the Treasurer. That was unanimous, and I am not denying that.

I think it would be great if there could be three additional performance auditors in the Auditor-General's Office but it is not possible this year, given the tight budget we are faced with. That is the fact of the matter. It is not as if the Treasurer was not asked about this matter; he was asked. He said that we have to show economic restraint. I believe Mr Mulcahy was speaking about economic restraint continually throughout the estimates process, saying that this government was not showing enough of it. Yet here is an area where Mr Mulcahy would like us to not actually—

Mr Seselja: Just in areas of scrutiny it shows restraint. When it is about to be scrutinised, it cuts the funding.

MR SPEAKER: Order, Mr Seselja!

MS MacDONALD: Thank you, Mr Speaker. I ask that I be heard in silence, a courtesy I have provided to the members on the opposite side. The fact is that Mr Mulcahy would like us to expend these further funds. What will happen if we do not get these additional three performance auditors? Will the sky fall in? No, it will not. I would like to see in future budgets, if possible, provision for additional performance auditors so there can be additional performance audits done around the ACT government service where possible. The Auditor-General herself, when questioned about this, said that these things would be gotten to, but in a slower timeframe. That is the reality of the situation; that is what we have to work within. These are the constraints placed upon us by a tight budget. As I said, Mr Quinlan was questioned about this and said something along the lines of, "Yes, it would." I would not want to place words in his mouth that he did not say, and I am sure he will respond to this one himself. The fact of the matter is that all agencies had to look at showing some restraint.

MR SMYTH (Brindabella—Leader of the Opposition) (12.04): This is an even smaller component of the overall budget—\$1.4 million in the executive years. It is one of the most significant components of the budget because the auditor is separate from the rest of the ACT bureaucracy and reports directly through you to the Assembly. In fact, she does work on behalf of the Assembly. I think it is important to focus on the Auditor-General's Office to ensure that the resources for the auditor are sufficient to carry out her role and task, and to ensure that the activities of the auditor align with the intentions of the Assembly.

I must raise and reinforce one matter that was mentioned by the Auditor-General, Tu Pham, herself. The auditor noted that when she sought additional funding it was to support more performance activity. That was supported by the public accounts committee. I understand they have written to the Treasurer saying they support that. Unfortunately, the government did not support that request. That in itself is not a problem. Governments are entitled to make decisions on their budget priorities, but the problem is that they have their priorities wrong. The problem here is that the auditor now pays the price for that, as we do in getting the reports we need to do our job properly.

The auditor herself commented that the lack of these additional resources is of concern to her. She noted that not having these additional resources has implications for the audit office in being able to perform their functions in a timely and efficient manner. In not

increasing this appropriation the government is saying they do not care that the auditor will not be able to operate in a timely and efficient manner.

Worse than that, this will have an effect on some of her statutory obligations—for instance, to inquire into reports of whistleblowers who bring information to her. My memory is that that is what the auditor also said in the estimates hearing. So, essentially, the role of the auditor is being hindered by a lack of resources. You have to remember that this is a government that talked about being more honest, more open, more accountable, more transparent—up to the point that we will allow the auditor to do more performance audits into what this government has been up to.

More important than the capacity of the auditor, especially in relation to the undertaking of performance audits, is that it be increased as soon as possible. It is important to the Assembly and its scrutiny of the activities of the public sector, and to the community, that appropriate scrutiny is made by the auditor of the public sector. I think it is important that we continue to argue for appropriate resources to be provided to the auditor. It is interesting to read the recommendation from the Select Committee on Estimates. It says:

The Committee recommends that the Government provide additional funding to the Auditor-General's Office in line with the recommendation made by the Standing Committee on Public Accounts to the Treasurer in its letter of 24 March 2005.

It is interesting to put on the record the government's response to recommendation 11 because it is the sort of halfway house response that you often get from this government. It says that in 2005-06 they gave them an additional \$75,000, increasing to \$133,000 in 2008-09, to meet increased accommodation costs. Accommodation is important but I think that, in the perspective of the Assembly, it is far more important to get the reports we need to do our job properly. This comes on top of capital funding of \$650,000 provided in the 2004-05 budget—well done, Treasurer—for the fit out of the Auditor-General's Office; but, again, it is about the physical office, not the work they do. Furthermore in 2004-05, there was additional recurrent funding of \$300,000 to increase the auditor's operating capacity. This has been an ongoing saga to gradually ramp up the funding that goes into the audit office. In 2004-05 there was recognition—I think we should give some credit to the government for that—but the auditor has come back and said that she is still unable to do her job. She has asked for a very small amount of money—\$350,000-odd—which we believe would assist her in doing those performance audits.

Mr Quinlan: She got \$75,000; she didn't get \$300,000.

MR SMYTH: \$375,000 in the coming year. That highlights that this government has got its priorities so incredibly wrong that they cannot find \$375,000 at the direct request of the Auditor-General of the ACT to allow her and her staff to do their job appropriately and properly in support of the Assembly.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for

Racing and Gaming) (12.09): It is typical of Brendan Smyth to read half of our response and then begrudgingly happen to mention 2004-05. That is just so typical of the way you put out information, Mr Smyth. The response pointed out that this government gave an increase in funding in last year's budget of \$300,000. In fact, to put this in perspective, the expenditure estimated in the 2003 budget for the year 2001-02 by the Auditor-General's Office was \$2.886 million.

The expenditure expected in this budget is \$3.851 million. Over the period of four years we have seen a million dollar increase in the Auditor-General's budget; we have seen it increase by something in the order of 25 per cent. In each budget round agency heads come to us and say, "I haven't got enough resources" or, probably more accurately, "I could do so much more if you gave me more money"—as the Auditor-General has done.

I would submit to this place that the Auditor-General, over the period of the Stanhope government, has done quite well compared to other agencies. It is now funded by, effectively, a million dollars more than \$2.8 million, which was in the last budget delivered by a Liberal government. They cannot stand here and say that this government is cramping the Auditor-General. From the words used by Mr Mulcahy and Mr Smyth you would think we had cut funding to the Auditor-General. The fact is that the office is now a million dollars better off than it was under that lot.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.4—Chief Minister, \$64,088,000 (net cost of outputs), \$32,822,000 (capital injection) and \$5,842,000 (payments on behalf of the territory), totalling \$102,752,000.

MR MULCAHY (Molonglo) (12.12): A range of issues emerged in relation to this item in the budget. I am disappointed that the Chief Minister is not here to participate in these discussions. If he has time to address the dissenting report on radio and in the newspaper, I would have thought that the appropriate place, first, for him to be is in the Assembly, to deal with the areas that impact on the agency he oversees and on his performance as a minister.

A number of issues emerged. First of all we heard this radical idea of his—I acknowledge and accept that he has a rather different approach to economics from the Treasurer—that he is now thinking about going into buying real estate. The idea of buying offices and tying up critical funds by locking them into buildings is a novel one. It was once fashionable, but governments have moved away from that approach. It was something that troubled members of the committee.

Whilst he is saying they are only looking into the feasibility of it, it suggests that there is a sentiment to go down this road. I would counsel the Chief Minister—and I would hope the Treasurer is speaking to him about the dangers of the government buying buildings around the town—that A-grade buildings today eventually become B-grade buildings and often eventually become C-grade buildings. This is an area in which governments will be challenged in the future if substantial funds are tied up in this regard. His only defence was, "Well, we don't have to do what the commonwealth says." I accept that that is the case but I suggest that he look very carefully at the economics and

management of that approach rather than leasing premises, given the requirement of government agencies to have A-grade buildings.

We also had discussion on the Human Rights Commission through that process—and the Community Inclusion Board, which of course he strenuously defends. The Bill of Rights does not protect rights; nor can the courts alone adequately protect them. The protection of rights lies in good sense, tolerance and fairness of the community. If we have this, then rights will be respected by individuals and governments. This is expected behaviour and breaches will be considered unacceptable.

“A bill of rights has the potential to turn community values into legal battlefields.” Those words are essentially not mine; they were published in the *Canberra Times* on 20 August 2001 and were authored not by the then Liberal leader but by Mr Bob Carr, Labor Premier of New South Wales in an opinion editorial in the *Canberra Times*. In the piece quoted, Bob Carr talks about how a bill of rights transfers decisions on major policy issues from the legislature to the judiciary, and how decisions made by the judiciary in the adversarial setting of courts leads to piecemeal responses made without reference to the big picture required by good public policy-making.

The brutal reality is that this government, led by Mr Stanhope, is great for talking but, in fact, is not great in its performance. The most glaring example came out in our questioning in relation to the Quamby centre, of which we will hear more later. It was a good illustration of the theoretical approach to human rights but in fact not a practical one, as he tried to dismiss all of that as something of a problem of the former government.

During the course of these discussions we also dealt with the arboretum, the latest idea from our Chief Minister. I am not sure what it is about some leaders around this country in the state jurisdictions but monument building seems to be very much part of it. Ms Gallagher is running a conversation across there but we will get on to IR in a minute—have no fear. We will talk about the brilliant negotiating strategies that have been employed in that area on behalf of the taxpayer.

In the first instance I would like to look at the arboretum. I am fascinated to know where this one is going to go. On the way into the Assembly one day I listened to an interview with the Chief Minister. I think he was in Japan—in Nara. I do not know whether he had had a late night or had jetlag, but he was suddenly basically admitting that the \$12 million figure is really pretty rubbery and that we are now talking about \$20 million. He was probably suddenly remembering, or had been told by Mr Quinlan, about the ACIL preliminary assessment of expenditure and revenue for the proposed arboretum.

This is another example of the government's ambitions exceeding its capacity. The arboretum is to cover 250 hectares. It is very large; it is more than six times larger than the developed area of the Australian National Botanic Gardens, yet the botanic gardens had a total operations budget in 2003-04 of \$8.3 million. That is over 10 times greater than the operating expenses allowed for the arboretum in 2008-09.

Then we look at the US national arboretum, which is equivalent to about 70 per cent of the size of the proposed ACT arboretum. Its budget in the fiscal year 2004 was \$12.38 million, or A\$16.3 million at the prevailing exchange rate. This is a long way

from the ACT government's proposed budget. The government's projections are simply unrealistic. The redeveloped Hunter Valley Gardens, which the Chief Minister said he had visited, cost an estimated \$45 million on basic preparatory work, yet the government has begun by talking of \$12 million being sufficient to create a world-class international arboretum which would be 10 times the size of the Hunter Valley Gardens. If that is not enough, we have to race off to Canada to have a look at a garden so we can say, "Well, we have now seen the best in the world."

We hear concerns about utilisation of scarce water resources for this facility. The minister suggested that that could all be solved and that there would not be a problem due to the arrangements at the site, but I have to say that there is a high level of scepticism. There are many other areas in the environmental area in which these funds could be used. My colleagues may well deal with some of that.

We also heard a fascinating dissertation about the communication staff in the ACT government. The figures were all over the shop and there was some rather contradictory evidence provided. We seem to have about 30 people in the communications unit. I would like to use another term but it is probably not appropriate. I will be kind in this regard.

Mrs Dunne: Were you going to say "propaganda unit"?

MR MULCAHY: I would not like to say that all the people are involved purely in propaganda but I am certainly concerned at the way this unit seems to be heading. Certainly when the witness appeared before our committee, he struggled to justify much of what was going on.

The dragway remains an ongoing issue. A number of members on this side of the house have expressed their concern over the supposed commitment in this regard. It appears that, whereas we talk about the construction costs varying and say that rising costs of construction should all be taken into account, no way is that going to happen in relation to the dragway. It is \$8 million if they can settle on the site. If people do not like it, they are quite happy to abandon it and the Chief Minister, as you will see if you look at *Hansard*, basically expressed a "couldn't care less attitude" to that whole project.

Other areas came under our review, such as the Actew Corporation and the largesse there enjoyed by their friend, Mr Costello. Not only is he on \$450,000 a year but there was a further revelation in questions last week that there is a performance bonus as well. Wouldn't we love to know what the performance bonus is! People in the Canberra community were absolutely staggered to hear these figures come out. I am quite sure members opposite had reactions as well, as did I, because the reaction was significant. People hear that there is a man sitting at the top of a corporation with 13 staff. When I asked, "Why do we really need your outfit?" He said, "Well, I mean, someone has to do the strategic work." I have a fair bit of faith in John McKay. I reckon he could go and hire a couple of strategic analysts and still have change out of what it costs to run Mr Costello's little empire.

There are many areas within the Chief Minister's Department that we need to tackle. The industrial relations techniques of negotiation were quite entertaining, but for the fact that it makes up such a large part of the ACT budget; you know, the official handling

negotiations. I felt a bit sorry for him, because he obviously had not been briefed, when I dared ask what the taxpayer got in return as part of those increases. I know the minister's view is that if you negotiate productivity outcomes, that means you are lowering people's standard of living. That is not a view subscribed to in any other negotiating environment in the industrial movement but in the ACT we are a different case, apparently.

There were gains, though. We heard that they turned the lights off and saved some electricity when they sent everybody home between Christmas and New Year. That was a sad reflection on capacity to negotiate. I know the minister has good intentions, but I would plead with the government: try to get better value for money because, when we assume the Treasury bench in 2008, I can see that the disaster will compound and certainly our task will be made even more difficult by these ill-considered approaches to negotiating and outlaying the taxpayer's dollar. The Chief Minister's area is a litany of problems. There are many more that could be detailed and I am sure my colleagues will tackle those.

MR SESELJA (Molonglo) (12.22): One of the most important parts of the contract politicians have with their constituencies is delivering on promises made by their party in the election. It is on these promises that members are elected, governments are formed and mandates are supplied. In my time in this place I have found it particularly troubling to see the contempt for election commitments the Stanhope Labor government appears to have developed. I am of the belief that the dragway is just one example of ways that this government, having been elected, will now shy away from the commitments it has made to the community.

Over the course of the next couple of days you will be hearing a number of concerns the Liberals have in relation to the budget for 2005-06. Far from rolling our eyes in derision, the suggestions that I, Mr Mulcahy and other members of the opposition have made are about priorities, effective government spending and providing basic facilities for the community, rather than constructing grandiose monuments in an attempt to perpetuate legacies like big tree parks, when there are already wonderful botanic gardens here in Canberra, or a \$150 million bus road that will save two or three minutes on a trip between Belconnen and Civic. I note that I do not remember the arboretum being mentioned much in the lead up to last year's election.

I accept and understand that there need to be priorities and that there is no bottomless pit when it comes to paying for the needs of the territory. At the same time, the people of Canberra have been provided with expectations around the offerings of the Stanhope government and have been promised certain outcomes. The ALP is committed to delivering a dragway to the people of Canberra. A number of sites have been mentioned, however a site in the Majura Valley appears to be the preferred option. During the estimates process a number of questions were asked of the Chief Minister about the dragway. In response to those questions the Chief Minister has stated that only \$8 million, with no cost escalator built in, will be available to build the facility.

Cost escalation of capital works has been an interesting discussion to come out of the budget. A number of times we have heard members of the government highlighting the fact that, when a capital works project is announced, the cost of the project is at the time of the announcement; that is that, for example, a dragway will cost \$8 million. Over the

life of the project costs for goods, services, building materials and the like increase. The final cost of the project is actually more than the \$8 million first announced. That is the justification the government has used to explain increased construction costs for the GDE; the reason for the cost of the prison now being \$128.7 million and not \$110 million; the reason that Quamby has not been reconstructed and has been further delayed.

The proponents of the dragway initially announced that \$8 million was the cost of building a standard facility worth constructing. That was in 2001. Construction costs have increased significantly since that time. Land values in the ACT would have increased significantly, perhaps as much as 60 or 70 per cent; and building costs have increased by at least 40 per cent, according to the MBA; and I think that is a pretty conservative estimate. So the Chief Minister, in stating that no escalator will apply to the dragway and that only \$8 million will be spent, is now admitting that this will lead to two outcomes—a substandard facility which, as a result, will be poorly utilised—a white elephant the territory can ill-afford—or no dragway at all.

When I say “no dragway” I think the Chief Minister is seeking to make it too hard—and find an out. He does not want to build a dragway. If he underfunds the facility the proponents will say it is not up to scratch and that they do not want to be part of it. That will give Mr Stanhope the out he needs. He can say, “I want to build a dragway but the proponents don’t want it, so we won’t build it now.” He will make it seem as if the fault lies with someone else and not in the fact that he is underfunding the construction.

The Chief Minister also appears to be discovering construction difficulties and noise issues to avoid constructing the facility. I understand that a dragway causes noise—everyone knows that—at high levels during times of use, and I understand that the noise is in intense bursts. Mr Stanhope spoke of some of the noise difficulties that may be faced, particularly by Hackett, Downer and the inner north, if a dragway is constructed. Of course, Mr Stanhope would have been well aware of the fact that dragways make noise when he promised to construct such a facility. It was obvious to all that constructing the facility would create a noise impact.

Before the election, though, I do not recall Mr Stanhope placing any riders on the construction of a dragway. I do not recall him saying, “We will only build a dragway if it is not too noisy, or if it does not cost too much.” However, in estimates on 16 May Mr Stanhope said, “We are not prepared to build a dragway until we are quite comfortable around those noise impacts.” They are noise impacts that the government was well aware of when it made its promises, and it appears now to be seeking to back out of the promise it made to the people of Canberra at the last election. That is just one in the litany of broken promises that we will be talking about today and on Thursday, no doubt, as we debate this budget.

Another area of concern during the estimates process in relation to the Chief Minister’s Department, when the committee was examining the Chief Minister, came in relation to his disdain for the chair. We saw a disgraceful exchange where, after the committee had made the decision—a decision that I did not agree with—not to name a particular individual, Mr Stanhope continually named the individual in order to slander that person. It was a disgraceful exchange. Not only did this show his contempt for this person, who has been treated shoddily and with contempt by ACT government agencies, he was then

treated with contempt by the Chief Minister in seeking to slander his good name. At the same time the Chief Minister was displaying his contempt for the chair, who continually tried to call him to order, and Mr Stanhope ignored those calls.

There were a number of occasions where not just Mr Stanhope but also Mr Hargreaves performed in this way during the estimates process. This shows a disdain for the processes of the Assembly; it shows a disdain for the ACT community; and it shows that this government, despite its rhetoric, does not care about accountability or openness. That was shown in the way they constructed the estimates process, and in the disdain ministers such as the Chief Minister showed not only for members of their own government but also for the people of Canberra.

MR SPEAKER: I understand it is the wish of the Assembly to break for lunch at this point. That being the case, the chair will resume at 2:30 pm.

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

Sitting suspended from 12.30 to 2.30 pm.

Questions without notice

Pharmacies

MR SMYTH: My question is directed to the Minister for Health. The budget contains funding of \$100,000 for a consultancy into community pharmacies to be undertaken by Allens Consulting Group. I understand that Allens Consulting has done a similar study on behalf of Woolworths to try to justify a case for Woolworths to operate pharmacies. Why did you hire Allens Consulting Group to undertake the study into community pharmacies, given the obvious conflict of interest from the study for Woolworths?

MR CORBELL: For the same reason that the federal government has used Allens Consulting on a number of occasions for its own work into pharmacy areas.

MR SMYTH: Mr Speaker, I have a supplementary question. Why is the government undertaking this study, given the strong level of public support for community pharmacies as shown by the 45,000-signature petition tabled in the Assembly in 2004?

MR CORBELL: The only people who are pre-judging the outcome of this study are the Liberal Party and perhaps others who support them. The government has commissioned this examination into community pharmacy because we remain concerned at Canberrans' access to community pharmacies, and indeed to pharmacy services generally, especially after hours. I do not know whether members opposite have had the experience, but it can be extremely difficult, for example, to find a pharmacy open late at night to get the services that you need, especially if your child or someone else has an urgent but unexpected need for certain types of pharmaceuticals.

It is entirely appropriate that the government look into these issues of access and availability of pharmacy services. The government has no pre-judged agenda in this. I find it disappointing in the extreme that the Liberal Party and—I say with much regret—the Pharmacy Guild of Australia are choosing to shoot the messenger and are pre-judging

the outcome of a professional and reasonable examination of the issues around access to pharmacy services in the ACT.

Pharmacy services are essential in our community. We want to make sure that those services are as widely available as possible, particularly after hours, but not in a way that compromises quality of service and delivery to the Canberra community. It is entirely reasonable that the government undertake an investigation into the adequacy of the existing arrangements. This does not in any way signal that the government has a pre-determined position on any issue to do with pharmacy services.

I can give this Assembly an ironclad assurance that the government does not have any pre-determined position or outcome anticipated regarding this study. We will take this study at its face value and decide whether there is a need to change arrangements to ensure that we have as wide a range of pharmacy services available to the Canberra community. It is that simple. The only people who seem to be concerned about even questioning the availability of pharmacy services here in the ACT are the Liberal Party and, it would seem with some regret, the Pharmacy Guild.

Department of Urban Services

MR PRATT: Mr Speaker, my question is to the Minister for Urban Services. Minister, the Department of Urban Services advertised last Saturday in the *Canberra Times* two new senior executive positions—Director Strategic Finance and Director Strategic Human Resources—with a combined package value of \$324,000 per annum. These two senior executive positions are in addition to the 15 senior executives listed on the directory and in addition to the extant manager of human resources and the director of finance. Minister, why are you recruiting extra senior executives while at the same time cutting jobs from Canberra Connect shopfronts and other service delivery areas?

MR HARGREAVES: Thank you, Mr Speaker. Let me put the record straight, just for openers. I am not cutting anything from Canberra Connect. Mr Pratt is out there frightening people. He should be thoroughly ashamed of himself. Mr Pratt should be aware of the power of his position as a member of this place and should be a bit cautious about putting information out in the public arena that is blatantly false and serves nothing but to upset and frighten people. There has been no statement from me in this House that I am going to cut Canberra Connect—in fact, far from it. If Mr Pratt were to listen occasionally, and then make up his mind and make a comment, somebody out there may listen to him. That is not a guarantee, but somebody may listen to him.

Mr Pratt would have heard me say in this place that the restructure of the Department of Urban Services is about removing about 13 silos and introducing two streams. He would have heard me say that there was going to be a reduction in management, in administration, in the purchaser/provider model and the staffing that emanates from that. The reduction in staff from the Department of Urban Services starts at the top, and it has started from the top. Mr Pratt promptly takes some piece of information out in the ether, puts a number two on it, adds his own little piece of fright, adds another two to it, adds the two together and, instead of getting four, gets about six or eight. He has got it wrong yet again, Mr Speaker. Mr Pratt ought to apologise to those people in Canberra Connect. You, sir, have frightened them. You, sir, have unduly frightened them, and you should be ashamed of yourself. You should be thoroughly, through you, Mr Speaker—

Mr Smyth: I have a point of order, Mr Speaker. Standing order 118 (b) does not allow the minister to debate the topic. The question is about why he is employing two additional senior executives and not about what Mr Pratt said.

Mr Seselja: He should also address his remarks through the chair.

MR SPEAKER: Minister, stay with the subject matter.

MR HARGREAVES: Mr Pratt asks why I put an ad in the paper for an additional two executives. It is about rationalising. It is about taking 13 or so SES positions down to four or five. That is what it is about, sir. There is nothing new about this and I have said that before in this chamber. These people laugh about this, but they laugh in their ignorance, because they do not listen and they do not understand. They do not understand that we are taking the Department of Urban Services with us. They do not understand that we have consulted with the staff, with the unions and with management. They do not understand that we have consulted with these people in a contemplative stage. What they have done is pick and choose. What I suggest will happen from here on is that Mr Pratt will pick a section out of the Department of Urban Services and then he will say, "Minister, can you guarantee everybody there is going to get their job?" And when I say, "Mr Pratt, we are talking about restructure," he will go out there and say, "Oh, you guys are all gone." He will do this just the way he has done with the Canberra Connect people. How abysmal is that? He is going to go section by section and say, "Hello, you haven't guaranteed these people; so they are going to get it in the neck." The quantum leap in logic is, I am afraid, staggering. In fact, I do not intend to go step by step through the Department of Urban Services with this abysmal and pathetic shadow minister, and I urge Mr Smyth to consider changing his portfolio.

MR SPEAKER: Do you have a supplementary question, Mr Pratt?

MR PRATT: Yes, I do. Thank you very much, Mr Speaker. Minister, why has the restructure of your department resulted in extra SES positions being filled when, at the same time, you will be cutting 82 positions providing services to the public?

MR HARGREAVES: Firstly, Mr Speaker, Mr Pratt proves once again that he cannot count—1,086 minus 80 is 1,006. That is the figure we have been talking about. It is not 82, Mr Pratt. It is 80. Secondly, there are no additional SES positions being recruited. Because Mr Pratt sees an advertisement in the paper, he immediately assumes it is an extra position. Wrong again, Mr Pratt. You are making a habit of getting it wrong. Mr Pratt needs to understand that in any restructure positions go and, because it is a restructure, the jobs have to be redefined and realigned. Then of course other jobs emerge. They do not necessarily emerge with a net plus. In this case we are going to end up with a net minus. This pathetic little man over here is frightening people unduly—

Opposition members interjecting—

MR SPEAKER: Order!

MR HARGREAVES: I withdraw that he is a little man, Mr Speaker. He is still pathetic.

Mr Seselja: He hasn't withdrawn it.

MR SPEAKER: Just withdraw the lot.

MR HARGREAVES: I will withdraw the lot. Mr Speaker, what is really abominable in this situation is that we are going through a restructure. I have been honest and aboveboard in this. I have described exactly in this place how it is going to work. I have described exactly the numbers that are going to work. If Mr Pratt says I haven't then he has to go back, after his remedial reading classes, and look at the *Hansard*. He is picking them off one at a time and he ought to be thoroughly ashamed of himself. It ain't going to happen, Mr Pratt.

Mr Pratt: We'll see it in the wash, John.

MR SPEAKER: Order, Mr Pratt! Mr Hargreaves has the call.

MR HARGREAVES: Thanks very much, Mr Speaker. I am restructuring the overmanagement and the overadministration that I inherited from this lot. We have removed the purchaser/provider model completely because the purchaser/provider model overadministered and overmanaged the place. Who was it exactly who introduced that model? I wonder, he says, metaphorically and rhetorically. It was that lot over that side of the chamber. It wasn't us. It was that lot, and I intend to remove the purchaser/provider model and therefore eliminate overmanagement and overadministration. What we are about is making sure that the services at the sharp end—that is, Canberra Connect shopfronts, Mr Pratt—will in fact be enhanced.

Mr Pratt: How many new positions will you be creating?

MR SPEAKER: I warn you, Mr Pratt.

MR HARGREAVES: Oh, Mr Speaker, I have to say attacking little people like this is an appalling abuse of this chamber's authority, influence, power—call it what you will. We have a responsibility out there to articulate issues. I have no objection to people opposing my positions on a policy perspective but I urge members in this place to not frighten people unnecessarily. Your crowd did it before. These are people who, when they were in government and we were in opposition, threatened to take away 19 CityScape positions. They went out there and identified 19 positions and they frightened not only those people but also their families and the children of those people. You should be very careful. I urge members of the opposition to be very careful. This is a restructure. This is not about attacking the little person. That is the Kevin Andrews look on life. We do not espouse that. We have taken the department with us in this particular restructure. Mr Pratt would be well served by just sitting back for a moment and considering whether he is making a fool of himself and whether he is frightening people unnecessarily, because I say to you, sir, that that is exactly what you are doing.

Health—birthing centre

DR FOSKEY: My question is to the Minister for Health. I am informed that the choices available to pregnant women in the ACT for birthing are declining rapidly. Can the

minister please confirm that if a pregnant woman would like to give birth at the birthing centre she must make this decision and register with the centre before she is five weeks pregnant, otherwise she is likely to lose this option because the birthing centre is oversubscribed.

MR CORBELL: Mr Speaker, I thank Dr Foskey for the question. It is true that there are a significant number of women who are keen to use the birthing centre for the birth of their child or children. The birthing centre at the Canberra Hospital provides an alternative, as many members would be aware, to the more conventional birthing options available in the maternity suite area of the Canberra Hospital proper. The birthing centre is staffed by qualified midwives who adopt the lowest interventionist approach as possible. The birthing centre itself is fitted out to provide women and their families with a birthing environment that is as domestic as possible.

It is the case that at times women need to book early to be able to gain access to the centre. There is not a uniform waiting period or, indeed, a uniform booking time but women are encouraged to book as early as possible to have the best chance of accessing these facilities. Obviously, demand for these facilities varies throughout the year and that can have an impact on whether or not the woman is able to access the services of the birthing centre and the midwives who operate it.

DR FOSKEY: Mr Speaker, I ask a supplementary question. Many women do not know that they are pregnant so early in their pregnancy. Perhaps anyone trying to get pregnant—and hoping to have a birth as close to unassisted as possible—should register with the birthing centre the morning after. Does the minister find this acceptable and what is the government doing about it?

MR CORBELL: Mr Speaker, it would, of course, be helpful if Dr Foskey actually listened to my answer before reading her pre-prepared supplementary. As I have indicated, the waiting times for bookings do vary and it is the case that women are encouraged to book as early as possible. I acknowledge that women do not necessarily know very early on in their pregnancy that they are actually pregnant. But the ACT government, through ACT Health and, indeed, through the excellent pamphlet put together by, I think, the Women's Centre for Health Matters about having a baby in the ACT, advises women of the range of options open to them to assist them with the impending birth of their child, and that includes the desirability of contacting the birthing centre, if that is their chosen option, as soon as possible to secure a place in the program.

Since the government has been in office we have increased funding for the birthing centre and, indeed, we now have facilities operating from Calvary Hospital as well as from the major campus at the Canberra Hospital. So we have funding to the program. The government continues to consider other options for expanding the availability of this program. It is a very popular program with women, their partners and their families, and it is one that I am personally strongly supportive of. We certainly continue to provide all the support that we possibly can for this very valuable service.

Environment—grassy woodlands

MR GENTLEMAN: My question is to the Minister for the Environment. A story on the front page of this morning's *Canberra Times* reports on a groundbreaking research

project to be undertaken into Canberra's grassy woodlands, research that could have a far-reaching impact across Australia. Minister, can you explain to the Assembly how ACT government funding was the basis on which this research project was established?

MR STANHOPE: I thank Mr Gentleman for the question. It is an important question. It is a very important issue, and it goes to the government's commitment to protecting our natural estate, a commitment by the government reflected particularly through the establishment just recently of the Goorooyaroo Nature Reserve adjacent to Mulligans Flat. The establishment of that particular reserve in the context of this research, the million dollars or more that will now be directed specifically to researching aspects of lowland grassland woodland and the red gum-yellow box estate that is Mulligans Flat and Goorooyaroo, is reflected in the fact that the decision to incorporate, within the nature reserve system, the Goorooyaroo Nature Reserve came at a cost potentially of some hundreds of millions of dollars worth of otherwise developable land.

We need to look at the decisions we make in relation to our commitment to the environment and in relation to the opportunity cost of decisions we take to reserve in perpetuity significant areas of woodland such as Mulligans and Goorooyaroo. That is the essential commitment that underscores the decision to now proceed with this quite vital research.

It is important to acknowledge the significant role of Environment ACT, particularly Dr David Shorthouse and those who lead the ACT's wildlife research and monitoring unit, as essentially the catalyst for this very significant grant to the ACT's wildlife research and monitoring unit and the Australian National University, in concert, to deliver this major piece of research over the next five years.

The ACT government's commitment to this research was fundamental. It is essentially our commitment to nature reserves, the significant commitment that we have exhibited through declarations over the years as a government of both Mulligans Flat and Goorooyaroo and then the decision by my government to fund research to the tune of about \$300,000 into issues affecting flora and fauna in this particular woodland and to focus specifically on Mulligans and Goorooyaroo, that enabled us to leverage this linkage grant from the ARC.

I think it is important to acknowledge the government's commitment, particularly the very significant commitment of Environment ACT, its rangers and its scientific staff. The research will be jointly led by Professor David Lindenmayer and Dr David Shorthouse. I think they are a fantastic team. They will lead a very strong research team. There will be a number of PhD students employed through this particular process undertaking vital research into a range of areas around how to re-establish and support some of the vulnerable and endangered species, particularly of birds, that inhabit those particular areas.

It is a very exciting project. I am very pleased that we have been able to achieve this. I think we should give credit to our public officials, our public servants and to individuals who work within ACT Parks and, in this case specifically, for the direction and drive that was given to this project and this grant application by Dr David Shorthouse and his unit. I pay credit to Dr Cooper and to Dr Shorthouse for achieving what I think is a wonderful coup in working with the ANU to leverage off an ACT

government commitment to research in these vital areas and, through that leveraging and through the linkage grant that the ARC has now agreed to provide, to have a wonderful, million dollar, five-year Australian first research project into the management of woodland species in Australia.

I think the point was made, and well made this morning, that this is an area that has not perhaps attracted the attention of scientists and researchers to the extent that other species or areas of Australia have in the past. I think it is to our credit that we have been able to achieve this particular funding for this quite iconic research into a threatened ecosystem within Australia. I am very pleased that we have achieved this. I am particularly proud of Environment ACT. I acknowledge the management team within Environment ACT, particularly Dr Maxine Cooper and Dr David Shorthouse, for achieving what I think is a wonderful result for the territory.

Planning—guidelines

MR SESELJA: Mr Speaker, my question is to the planning minister. Minister, I refer to the A10 design guidelines which you announced in September 2004, but which you recently announced have not been prepared and will not be prepared until at least 2006-07, despite your assertion that they were a priority. In a letter sent to a constituent in October 2004 you stated:

I agreed to the Griffith Neighbourhood Plan, subject to a reduction in size of the Core Areas, and the development of guidelines to ensure any redevelopment is compatible with the existing neighbourhood.

If your agreement required both a reduction in size and the development of the guidelines, why are the guidelines not yet developed? How are you ensuring that redevelopment is compatible with the existing neighbourhood if the guidelines have not been developed?

MR CORBELL: I have already answered this question from Mr Seselja. The answer is the same as the answer I gave in the last sitting week: the guidelines will be developed during the term of the government and the government will make sure funding is made available for those to be produced. It is unfortunate that we are not in a position—

Mrs Dunne: Mr Speaker, I wish to raise a point of order. Mr Seselja's question was about how he would ensure things would happen—not when the guidelines would be written or when the funding would happen but, in the interim, how would the guidelines be met.

MR CORBELL: As I have already indicated to Mr Seselja and to other members, the guidelines will be developed by the government and they will be developed during the term of the government. The status of the A10 area in that suburb and in all other suburbs remains unchanged. Indeed, the government will ensure that these guidelines are developed during this term. It is unfortunate that they have been unable to be developed at this time but they will be developed, as I have indicated to members and to the community.

MR SESELJA: Mr Speaker, I have a supplementary question. When will you admit that you have reneged on your commitment to this constituent and to the community in general?

MR CORBELL: I have not.

Arboretum

MRS DUNNE: Mr Speaker, my question is to the Chief Minister. Minister, through the budget, you have provided \$12 million over four years to cover the capital cost of the arboretum—as Mr Seselja called it, the big tree farm.

Mr Hollway, the chairman of the interim board overseeing the project, wrote in an article in yesterday's *Canberra Times*, arguing that the arboretum will require capital expenditure of at least \$1 million a year for decades before it reaches completion. Minister, how much do you estimate it will cost to complete the arboretum?

MR STANHOPE: I thank Mrs Dunne for the question. I am not sure that that is exactly what Mr Hollway said. He proposed it as a possibility. It is not for Mr Hollway to determine or to make any statement about how much money any government might expend on any particular project. I think I need, for the sake of the record, to suggest that Mrs Dunne has verbed Mr Hollway's statement in the claim she has just made on this.

Mr Gentleman: Surely not!

MR STANHOPE: Surely not! I think any reading of the *Canberra Times* would reveal that that is not what Mr Hollway said.

It has to be said, though, in relation to projects such as this, that anything is possible. What we have done, as a government, is provide \$12 million worth of capital funding and \$2 million worth of recurrent funding to a magnificent, far-sighted, visionary project—a majestic project, a project that will—

Mrs Burke: The Stanhope memorial!

MR STANHOPE: It is majestic; it is wonderful. It will be an absolutely fantastic legacy of the fire. It will be something that generations of Canberrans to come will visit and view with enormous pride. It is something that will, in time, attract, of itself, significant numbers of tourists to the ACT.

In an environment where we, as a community, must be mindful of the narrowness of our economic base, in an environment where we must look to the future, where we must look beyond the electoral cycle, where we must have the courage to take decisions for the future that are not tied to the next election, this is, I think, a fantastic project for the ACT. I am proud of it and will continue to give it all my energy and all my support.

It is a project that demands full community support. I believe that, in time, it will achieve that. It is a pity that it does not have bipartisan support. It is a pity, I think, that the Liberal Party cannot see the significance of this project; cannot imagine the beauty that

we will create here in the ACT; and are not in any way committed to forming some real sense around the Burley Griffin vision for the ACT.

We need to acknowledge that it is there in Marion Mahony's drawings of Canberra, as delivered by the Griffins back in the early part of the last century, that there would be a major arboretum in the vicinity of this site. To some extent, we are maintaining some faith with that original design and that original vision which has stood this city in great stead and allows us to stand here as Canberrans, proud residents of the most beautiful planned city in the world—a magnificent city, a city which we, as a generation, have an opportunity to enhance through the delivery of this particular project.

Perhaps it is not surprising—it is disappointing—that the opposition in this place does not have the capacity to grasp any understanding of the significance of what it is that we are seeking to achieve. We are, as a government and as a community, determined to deliver, through this project, something magnificent, something that will endure, something that will provide for the people of the ACT something that they can be enormously proud of, that they will visit regularly and constantly, which will act as a magnet for tourists to this place and which will spawn significant economic development and opportunity. I think it is for that purpose that we have significant Canberrans such as Jim Murphy, Lloyd Whish-Wilson, Anne Kowalski, Professor Peter Kanowski, Rosemary Follett, John Mackay and Eric Koundouris prepared, eager, to serve on the interim board and eager to be a part of a project that they know will stand the ACT in good stead into the future.

It surprises me that the Liberal Party continues to knock it because it does not have the vision, the creativity, the capacity to look beyond the next year or two; that it cannot imagine what it is that we are seeking to achieve and what we will achieve because we have the courage, the vision and the commitment to this community.

MRS DUNNE: I thought Mr Hollway was purple yesterday, but that was possibly incandescent.

MR SPEAKER: Come to the question, please.

MRS DUNNE: Has the government conducted further studies into the viability of the arboretum other than the initial one conducted by ACIL-Tasman?

MR STANHOPE: A whole range of inquiry or investigation has been undertaken and continues into a whole range of aspects around the arboretum. We have a magnificent design, a design that was formed as a result of a major national competition that we conducted and which I think is a thing of some significant view. That is not, of course, writ in stone. There is a whole range of issues about our capacity to deliver that particular design that are, of course, the focus of the interim board.

It is why, of course, I was particularly keen to have a range of business people, people who are able to advise on issues about, for instance, our capacity to generate income and tourism and to manage it as an ongoing business proposition—people, such as Jim Murphy, who have an enormous amount to give to a project such as this. I do not know whether any members of the opposition are aware of Jim Murphy's reputation or his

standing within this community. It may be that they are not and it may be that they wish to deride people like Jim Murphy.

I remember, and will never forget, when I appointed Terry Snow to the shaping our territory working group at the outset, that Mrs Dunne was outraged at Terry Snow's appointment and moved for the immediate abolition of that particular organisation.

Mrs Dunne: On a point of order, Mr Speaker: the Chief Minister consistently peddles the lie—

MR SPEAKER: Order! Withdraw that.

MRS DUNNE: about my attitude to that. And it has been withdrawn; he has been forced to withdraw on a number of occasions. He should not be allowed to continue.

MR SPEAKER: Order! Mrs Dunne, withdraw that.

Mrs Dunne: I withdraw "lie". He has peddled a falsehood; he has done it consistently.

MR SPEAKER: I am afraid that is a clear imputation against the minister, and I order you to withdraw it.

Mrs Dunne: I withdraw.

MR SPEAKER: Come to the subject matter of the question, Chief Minister.

MR STANHOPE: That was a really uncomfortable response to Mr Snow's appointment to the initial body that made the decisions and recommendations on issues such as the arboretum. We have this same belittling response to the performance and appointment of people such as Jim Murphy, somebody whom I regard as an enormously significant Canberran. I do not know why the Liberal Party, the opposition, would wish to attack the integrity or the standing in this community of somebody like Jim Murphy.

Mr Seselja: On a point of order, Mr Speaker: standing order 118 (b) does not allow the minister to argue the point. He must answer the question.

MR SPEAKER: Come to the subject matter of the question, Chief Minister.

MR STANHOPE: I think it is pertinent for me to refer to the fact that the derisory—

MR SPEAKER: No, it is not. Come to the subject matter of the question. It is in relation to further inquiries.

MR STANHOPE: A number of further inquiries are being undertaken in relation to many aspects of the arboretum project. Those inquiries are being undertaken by people such as members of the interim arboretum board. They are people such as Jim Murphy, Eric Koundouris, Anne Kowalski and a number of very significant Canberrans. I trust the advice and the willingness of those very significant Canberrans, those very significant members of our business community, to undertake those inquiries on my behalf.

Mr Smyth: On a point of order, Mr Speaker: standing order 118 (b) does not allow the minister to argue the toss. You have already referred him to the supplementary, and he has ignored you.

MR SPEAKER: The question asked by Mrs Dunne was in relation—

Mr Seselja: He is ignoring you like he ignored the chair of the estimates committee.

MR SPEAKER: Order, members! The Chief Minister is referring to further inquiries conducted by board members.

MR STANHOPE: I will conclude on that point, except to say that, unlike the opposition, I am prepared to trust the integrity, the advice and the commitment of people like Jim Murphy, Eric Koundouris and Anne Kowalski to the arboretum, just as I trust the people of Canberra in terms of their commitment to what I know they believe to be a most fantastic project.

Bushfires—insurance claims

MRS BURKE: My question is directed to the housing minister. Minister, in response to question on notice No 214 dated 8 March 2005, you made it clear that the government has expended the insurance money recouped from the loss of houses at Pierces Creek on properties in the urban area of Canberra. How many properties did Housing ACT purchase with the approximate \$2.4 million from the insurance policy? Will the minister advise the Assembly where these properties are located?

MR HARGREAVES: I thank Mrs Burke for the question; it is the first one in this place that has made sense to me. Unfortunately, I do not carry that information around in my pocket. I will get that information for the member and get back to her. But it is not our fault that people are not out at Pierces Creek; it is the NCA—the people that you support.

MRS BURKE: Mr Speaker, I have a supplementary question. Since the insurance money has indeed already been spent, where will you get the funds to rebuild the 12 houses at Pierces Creek?

MR HARGREAVES: If Mrs Burke wants me to say out of which hat I will put a rabbit, she has some sad news coming to her.

Mrs Burke: Just public housing properties minister.

MR HARGREAVES: Have you finished for good?

Mrs Burke: I am waiting.

MR SPEAKER: Order! Mrs Burke.

MR HARGREAVES: These guys just wasted 35 seconds, so I am grateful for that. The replacement of houses at Pierces Creek is done in the netting off of the amount of insurance funds that we receive plus the sale of the properties that we have purchased to put the people into in the interim.

For the edification of Mrs Burke—I think we have explained this to her once before—we bought properties for those people affected by the bushfires to go into. The sale of those properties will in fact pay for the replacement of their properties, to which they will be returned. Of course, the funding aspect will not necessarily happen overnight. We hope that it will happen in the same financial year. If not, we will make budgetary provision for that. I am surprised that the shadow housing minister has not worked that out, given that I have already said it about three times in public.

Aged care accommodation

MS PORTER: Mr Speaker, my question is to the Chief Minister. Can the Chief Minister inform the Assembly of the effectiveness of the government's building for our ageing community strategy, which was launched in 2003?

MR STANHOPE: Thank you, Ms Porter; yes, I can. Building for our ageing community is a very important and successful strategy which was developed by ACTPLA and the Chief Minister's Department in concert, a strategy which we created to ensure that we met the needs of a rapidly ageing population. We can see proof positive of the success of that strategy in the coordinated and strategic way in which we are delivering on services, and particularly beds and units, for our ageing population. We see that, for instance, in the opening tomorrow of a new 20-bed dementia unit at Villaggio Sant Antonio in Page, and we see it in the opening in two weeks time of an additional 21 dementia beds at the Croatian village at Stirling.

Under the strategy we have developed a specific rolling program, or land bank, of aged persons accommodation development sites. Several sites have already been identified and some released. We provide support and guidance to proponents of aged care accommodation to ensure they can successfully navigate the planning and development process; we provide strong case management to simplify the processes and reduce unnecessary delays. We also provide a very specific focus on developing a much more proactive relationship with the commonwealth so that their allocations meet the needs of the ACT community, and so that the territory can ensure that land planning and bed allocation processes are streamlined.

We are making very significant progress in the provision of additional aged care facilities in Canberra and, over the next 18 months, we will see some several hundred additional beds brought on line within the ACT. The next two to three years will be a real boom time for aged accommodation in Canberra. Under the strategy there is one point of contact—an officer in my department—who has the authority and capacity to liaise with all ACT government agencies and provide a responsive service for developers on behalf of the territory. The land bank system ensures that, as beds are released by the commonwealth, blocks will be released from the land bank to enable new facilities to be built as bed funding becomes available.

As I said earlier, we are now seeing the very significant fruits of the strategy we have put into place. We will see that in the opening tomorrow of a 20-bed dementia unit at Villaggio, and we will see it in two weeks time with the opening of a 21-bed facility at the Croatian village in Stirling. Southern Cross Care are currently constructing a 70-bed

care facility, along with 40 independent living units in Garran. That will be completed early next year.

Calvary has now submitted its development application to ACTPLA for its development at Bruce. The formal development approval process is still being followed, but this is a major milestone for this particular project. The Calvary project manager has advised my department that they expect, at this stage, that they will have the 100-bed, 75 independent living units development at Bruce completed next year. The roadworks on Jaeger Circuit have already been approved, and construction is set to commence.

Two other major ventures will take a big step forward in July this year—in the next few weeks. Development applications for both Mirrinjani in Weston and Goodwin in Ainslie will be lodged. The Mirrinjani project will provide for 64 beds, half of which will be dementia specific; the Ainslie redevelopment will deliver 100 beds and an additional 165 independent assisted living units. At the moment also being progressed is the Illawarra Retirement Trust project in Belconnen with an additional 100 beds and 250 units; St Andrews in Hughes; Goodwin in Monash; Ridgecrest in Page; Morshead in Lyneham; and the Baptist Community Service in Griffith. They are currently in the design phase of their projects, comprising 480 beds and an additional 370 independent living units.

Another example of the positive environment on aged care accommodation is the assessment panel, recently formed within the Chief Minister's Department with the purpose of speeding up the process of land sale and development. At the moment we are looking at approximately 1,000 additional beds and 1,000 independent living units either under construction or being actively planned. This will, of course, bring an investment of hundreds of millions of dollars in new aged care facilities to the ACT. I think we can all recall some of the criticism received for the fact that we spent time undertaking strategic planning. We undertook strategic planning to deliver results like this. That is what good governments do, and that is what we did; from nothing.

Public housing

MR STEFANIAK: Mr Speaker, my question is to the Minister for Disability, Housing and Community Services. Minister, during question time on 23 June this year you confirmed that David Eastman still maintains his tenancy agreement with Housing ACT, although he has been convicted of murder and is serving a life sentence. You also confirmed that his property is currently vacant and, subject to an outcome of an appeal in court, he maintains security of tenure over his property. Given that Mr Eastman is serving life in prison, have you considered allowing Housing ACT, where practical, to utilise vacant properties to accommodate people needing short-term accommodation, especially short-term crisis accommodation?

MR HARGREAVES: Mr Speaker, Housing ACT has a tenancy agreement with Mr Eastman. Mr Eastman has an appeal before the courts. We will talk about it when that appeal has been concluded.

Mr Stanhope: When was he sentenced, Mr Stefaniak? In 1995, I think.

Mr Stefaniak: I think his appeal finished in 2000, Chief Minister.

Mr Stanhope: When was he sentenced, Mr Stefaniak?

MR SPEAKER: Order, Chief Minister!

MR STEFANIAK: Mr Speaker, I have a supplementary question. Minister, how many more cases are there where a person is serving a prison sentence of longer than 12 months and still maintains a public housing tenancy agreement? You might take that on notice.

MR HARGREAVES: I have no intention of taking it on notice, Mr Speaker. I do not intend to indulge the member with the answer to that. We do not care. The bottom line is that there is a tenancy agreement in place. As Mr Stefaniak would know, there are times when people's tenancy agreements are terminated, for example, for non-payment of rent over a protracted period. There are any number of ways in which tenancy agreements can be, and quite properly should be, terminated.

The question refers to somebody who is convicted and sentenced to jail—and you will notice, Mr Speaker, that Mr Stefaniak mentions nothing about any particular timeframe, whether it be life or whether it be 16 minutes; he makes no provision for that in the question. I do not propose to indulge the member with an answer to that one.

Mrs Burke: Longer than 12 months.

Mr Mulcahy: You are being misrepresented, Bill.

MR HARGREAVES: I am not going to answer it. It is as simple as that.

Mr Stefaniak: The year 2000, John, is when—

MR SPEAKER: Order!

Mr Pratt: Why start being transparent now?

Mr Quinlan: Sentenced in 1995, Bill.

Mr Stefaniak: The appeals finished in 2000 and 2001.

MR SPEAKER: Order! This is not a conversation. It is question time.

Totalcare Industries

MR MULCAHY: My question is directed to the Chief Minister. On 9 December 2003 you made the following pledge to Totalcare workers: "None of the 346 Totalcare employees will lose their jobs or entitlements." Given that Mr Hargreaves has confirmed that some of these people could lose their positions in a departmental reshuffle, why have you reneged on your pledge to these workers?

MR STANHOPE: I have not; it is just not true. I promised that no Totalcare worker would lose his or her job or would receive conditions worse than those received at Totalcare. And that is the case. They receive better pay in the main; they receive better

conditions in the main; every single one of them that wants a job has a job; and every single one of them that wishes to retain a job will retain a job. You can beat it up, you can spin it any way you want, but every single person that came into the ACT public service from Totalcare that has wished to remain in the paid work force is still in the paid work force—and they can stay there for as long as they wish.

MR MULCAHY: Mr Speaker, I have a supplementary question. Minister, can you inform the house whether you found it necessary to intervene from overseas in the unseemly brawl in the government over the issue of Totalcare workers whilst your deputy attempted to hold the government together?

MR STANHOPE: I am not aware of this “unseemly brawl”. The only unseemly brawl that I am aware of is a major rift between the leader and deputy leader of the opposition—a brawl that we on this side believe to have been generated by the jockeying now going on between the deputy leader and the shadow Treasurer as to who will find the bottle to take on the leader.

We discussed this in caucus this morning: who will find the bottle to knock off a leader who has no hope at the next election, who has no credibility and no standing? We opened a book and thought it would be the shadow Treasurer. But just six months of observation reveals a lot of bluster, a lot of noise but not much in the way of a backbone, a spine or guts.

We see the deputy leader step up to the mark—he has been a bit quiet there. He is the longest serving Liberal in the team. He thinks that the job is really his. He has never really taken it on with gusto. He managed to cajole himself into the position of deputy leader. All of a sudden, we find an issue of major dispute between the deputy leader and the leader—Toast; it is a bit like that toast that you drop.

I conclude on this point: I was not aware of any unseemly debate within the Labor Party. I have such faith and trust in my colleagues that I did not spend much time seeking to peer over shoulders from overseas; I was incredibly busy doing good things for the ACT. But I was mightily amused with the developing positioning for who will lead the Liberal Party into the next election. There is not a single person in this Assembly that does not know that it will not be Mr Smyth.

Business development

MS MacDONALD: Mr Speaker, my question is to the Minister for Economic Development and Business, Mr Quinlan. Minister, through the economic white paper and the knowledge fund, the government committed to assisting new and innovative businesses during their developmental stage. Could you inform the Assembly of the latest developments in this area?

MR QUINLAN: I certainly can. I inform the Assembly that today was big cheque day. It was a pleasure to announce that a further \$2 million has been invested into the Canberra business development fund. The \$2 million consists of a \$1 million investment from the government’s knowledge bank and a \$1 million investment from the Hindmarsh Group, who are co-investors in the development fund. The development fund was jointly established by ACT governments past and Australian Capital Ventures Ltd.

Mr Smyth: Really!

MR QUINLAN: Yes, it was past, mate. When the Liberal government was in power I think they set up an arrangement with HIH, which they had morphed out of FAI, which was run by one Rodney Adler. You've had some good mates over time. I actually met Adler, if I can just digress for a little while, through you other good mate, Ian Knott.

Mr Smyth: Ah, that's a blast from the past!

MR QUINLAN: Yes. But, anyway, since that time, the business development fund is going very well. There are now a number of companies that do look like very worthwhile investments. These include Ringwood Superabrasives, Seeing Machines, Biotron, ITL, RPO, Perpetual Water, which we have all heard about, and Barleymax. Let me use Barleymax as an example of how business can be developed in this territory. Barleymax was born out of a discovery at CSIRO Plant Industry. They were working on an allied project using molecular biology, and let me assure people that Barleymax is not genetically modified. This particular strain of barley has been developed and is a source of resistant starch that is now regarded as more important than fibre in promoting health to the lower body, shall I say. It has high soluble fibre, which is important for reducing the risk of cardiovascular disease. It can have a role in lowering cholesterol. It also has a low GI, glycaemic index, which is a good option for diabetics. And I am assured it also tastes reasonable.

Mr Smyth: Can you make whisky with it?

MR QUINLAN: Well, you might be able to make whisky with it, Mr Smyth. I do recall that, from time to time, you pass yourself off as a whisky buff, but it would be a waste on you. I think you drink whisky with mixers and any self-respecting Scot would probably tear your Sassenach head off, if they bloody caught you doing so! But somehow you can be a barley buff and drink it with lolly water. The point is that what we have here is a process of a venture capital organisation to which the government is subscribing, to which private sector is subscribing, that is involved in the development of products which, I think, will provide a decent return to the fund in the longer term but will also contribute to the standing of the ACT as an innovative and enterprising economy.

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

Supplementary answers to questions without notice Department of Urban Services

MR HARGREAVES: On 22 June 2005, Mr Stefaniak asked about full time equivalents in urban services. For the information of members, I provide the following advice.

Mr Stefaniak was quoting figures from the 2003-04 State of the Service Report. The 2003-04 State of the Service Report figures did not accurately reflect the Totalcare businesses absorbed by DUS. The correct figure should have been 1,353 full-time equivalents as at 30 June 2004. Since that date, environment, arts and heritage have been transferred out of DUS and into the Department of the Chief Minister. The figure of 1,086 full time equivalents as at 21 April 2005 reflects those transfers.

Sustainable schools initiative

MS GALLAGHER: Last week, I think on 23 June, Dr Foskey asked me a question in relation to the starting date for the national sustainable schools initiative. The ACT proposal was submitted in mid-2004. However, due to delays caused by the federal election and the appointment of a new federal minister, the department only received notification in mid-March 2005.

Dr Foskey also asked about the date by which funding needed to be expended and the plans to advertise for the project officer. The department will soon receive the first funding instalment under the agreement to cover the salary of a project officer and administration of the pilot to operate in up to 20 government and non-government schools. Appointment of the project officer is expected to be early in term 3 and the officer will be appointed until 30 June 2006.

Dr Foskey also asked how the project will continue if the pilot proves successful. The pilot will also involve consideration of strategies for schools to ensure ongoing viability of the project. The Department of Education and Training will also explore options for funding sustainable schools beyond June 2006, including seeking sponsorship or funding from other government sources.

Executive contracts

Papers and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs): For the information of members, I present pursuant to sections 31A and 79 of the Public Sector Management Act copies of executive contracts or instruments in accordance with the list circulated.

Long-term contract:

Irene McKinnon, dated 4 May 2005.

Short-term contracts:

Jenelle Reading, dated 13 May 2005.

Sue Marriage, dated 23 May 2005—

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

Leave granted.

MR STANHOPE: I present another set of executive contracts. These documents are tabled in accordance with section 79 of the Public Sector Management Act, which requires the tabling of all executive contracts and contract variations. Contracts were previously tabled on 21 June 2005. Today I present one long-term contract and two short-term contracts. The details of the contracts will be circulated to members.

Papers

Mr Stanhope presented the following paper:

ACT Property Crime Reduction Strategy 2004-2007—Building a safer community—First progress report.

Mr Quinlan presented the following papers:

Financial Management Act—

Pursuant to section 14—Instrument directing a transfer of funds within the Department of Disability, Housing and Community Services, including a statement of reasons, dated 24 June 2005.

Pursuant to section 18A—

Authorisation of Expenditure from the Treasurer's Advance to Chief Minister's Department, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Economic Development, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Economic Development, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Justice and Community Safety, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Education and Training, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Economic Development, including a statement of reasons, dated 24 June 2005.

Summary of authorisation of expenditure from the Treasurer's Advance in 2004-05, as at 27 June 2005.

Precinct Deed between the Australian Capital Territory and the Australian National University—ANU City West Integration Precinct, dated 21 December 2004.

Mr Corbell presented the following papers:

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

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

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Children and Young People Act—Children and Young People Official Visitor Appointment 2005 (No 1)—Disallowable Instrument DI2005-89 (LR, 16 June 2005).

Domestic Animals Act—Domestic Animals (Fees) Determination 2005 (No 1)—Disallowable Instrument DI2005-99 (without explanatory statement) (LR, 20 June 2005).

Education Act—

Education (Government Schools Education Council) Appointment 2005 (No 1)—Disallowable Instrument DI2005-88 (LR, 21 June 2005).

Education (Government Schools Education Council) Appointment 2005 (No 2)—Disallowable Instrument DI2005-104 (LR, 21 June 2005).

Hawkers Act—Hawkers (Fees) Determination 2005 (No 1)—Disallowable Instrument DI2005-97 (without explanatory statement) (LR, 20 June 2005).

National Exhibition Centre Trust Act—National Exhibition Centre Trust Appointment 2005 (No 1)—Disallowable Instrument DI2005-103 (LR, 20 June 2005).

Nature Conservation Act—Nature Conservation (Threatened Ecological Communities and Species) Action Plan 2005 (No 1)—Disallowable Instrument DI2005-84 (LR, 16 June 2005).

Public Place Names Act—Public Place Names (Griffith) Determination 2005 (No 1)—Disallowable Instrument DI2005-86 (LR, 16 June 2005).

Public Sector Management Act—Public Sector Management Amendment Standard 2005 (No 6)—Disallowable Instrument DI2005-83 (LR, 16 June 2005).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2005 (No 2)—Disallowable Instrument DI2005-94 (without explanatory statement) (LR, 20 June 2005).

Rehabilitation of Offenders (Interim) Act—
 Rehabilitation of Offenders (Interim) (Sentence Administration Board) Appointment 2005 (No 3)—Disallowable Instrument DI2005-91 (LR, 20 June 2005).
 Rehabilitation of Offenders (Interim) (Sentence Administration Board) Appointment 2005 (No 4)—Disallowable Instrument DI2005-92 (LR, 20 June 2005).

Road Transport (General) Act—
 Road Transport (General) (Fees) Determination 2005 (No 1)—Disallowable Instrument DI2005-93 (without explanatory statement) (LR, 20 June 2005).
 Road Transport (General) (Numberplate Fees) Determination 2005 (No 2)—Disallowable Instrument DI2005-100 (LR, 20 June 2005).
 Road Transport (General) (Parking Permit Fees) Determination 2005 (No 1)—Disallowable Instrument DI2005-101 (LR, 20 June 2005).
 Road Transport (General) (Vehicle Impounding and Seizure/Speed Tests) Determination 2005 (No 1)—Disallowable Instrument DI2005-102 (LR, 20 June 2005).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Maximum Fares Determination 2005 (No 3)—Disallowable Instrument DI2005-106 (LR, 21 June 2005).

Roads and Public Places Act—
 Roads and Public Places (Fees) Determination 2005 (No 1)—Disallowable Instrument DI2005-90 (without explanatory statement) (LR, 21 June 2005).
 Roads and Public Places (Fees) Determination 2005 (No 2)—Disallowable Instrument DI2005-98 (without explanatory statement) (LR, 21 June 2005).

Tertiary Accreditation and Registration Act—Tertiary Accreditation and Registration Council Appointment 2005 (No 1)—Disallowable Instrument DI2005-95 (LR, 16 June 2005).

Vocational Education and Training Act—Vocational Education and Training Authority Appointment 2005 (No 2)—Disallowable Instrument DI2005-96 (LR, 16 June 2005).

Forde Joint Venture Ministerial statement

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (3.32):
 I seek leave of the Assembly to make a ministerial statement concerning the Forde Joint Venture.

Leave granted.

MR CORBELL: On Friday, 20 May 2005, I had great pleasure to announce that the ACT government had selected Delfin Lend Lease-Canberra Investment Corporation as joint venturer for the development of Forde with the Land Development Agency. The consortia Delfin Lend Lease-Canberra Investment Corporation will be known as Forde Developments Pty Ltd and will work as equal partners with the Land Development Agency to create Canberra's newest suburb of Forde and to create a community that many Canberrans will be proud to call home.

The development of Forde is a 131-hectare greenfield site three and a half kilometres north of the Gungahlin Town Centre. It will deliver economic activity worth at least \$500 million to the ACT and will be developed over a six to seven year-time frame.

Through the LDA the ACT government is seeking to bring a new standard of land development to Canberra and to set new benchmarks for quality urban development. This is already being achieved through the very successful LDA estates at Wells Station, in the suburb of Harrison and in the suburb of Franklin and will be further highlighted by the future development of Forde as a joint venture opportunity with the private sector.

Delfin Lend Lease-Canberra Investment Corporation were selected as the successful tenderers following a national call for expressions of interest. By proceeding to joint venture with Delfin Lend Lease-CIC, LDA will deliver to the Canberra community a suburb that will set new benchmarks in master plan design containing the proposed integrated development, combining residential areas with high quality public recreational and community facilities, provision for aged care accommodation, local parks to be integrated throughout the development to create a strong network for pedestrian and cycle access, approximately 1,000 dwellings with many of the blocks situated on north-south orientation and stages themed with reference to the cultural history of the area through the use of public art in the local parklands and open spaces.

In terms of ecologically sustainable development, the innovations include a strong focus on ESD principles, particularly in terms of water sensitive urban design, water reuse and onsite management and an integrated water plan that will utilise storm water to run into a creek to create pond and streams alongside parts of the suburb. The storm water will also be used to water the parklands themselves.

In terms of affordable moderate income housing and housing diversity, the initiative includes a strategy to deliver affordable housing solutions while the design scheme provides for a diverse mix of housing types targeting a range of market needs. Five per cent of the homes to be constructed in the suburb will be targeted for affordable housing, making Forde accessible to a range of buyers.

The partnership also allows Delfin Lend Lease national and global expertise to be combined with Canberra Investment Corporation's local expertise and existing operational capabilities to ensure that the development of Forde will be managed in the most effective way and set a new standard for residential development in Canberra.
I move:

That the Assembly takes note of the paper.

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

Personal explanations

MRS DUNNE (Ginninderra): Mr Speaker, I seek leave to make a personal explanation under standing order 46.

Leave granted.

MRS DUNNE: Mr Speaker, in question time today the Chief Minister said again, incorrectly, that I had always wanted to do away with people like Terry Snow and that I have objected to their being appointed to anything to do with the bushfire authority. He actually said I objected to him being appointed to something that I do not know he was ever appointed to. I would like to go back to *Hansard* on 5 March 2003, when I introduced the Bushfire Reconstruction Authority Bill. I said:

We are all well aware of the expertise in the bushfire task force. I have previously congratulated the government on assembling such skill and such talent in such a short time. The skill and talent extend not just to the task force members but to the staff that support them. I can think of no better person than Sandy Hollway to lead up this taskforce.

I went on to say that the task force is merely an advisory body and that what the Bushfire Reconstruction Authority proposed to do was to give real power, to empower Mr Hollway and his organisation, including Mr Snow and Mr De Castella, not just to advise but to act.

The next morning, 6 March, on 2CC, towards the conclusion of an interview about the Bushfire Reconstruction Authority Bill, I was asked where I would get the people to make up this authority. In response to the question, I said:

Well, I would take the existing taskforce with Sandy Hollway, Terry Snow and Rob De Castella and all the really good people and put them into the authority and I would take the very excellent staff that they have and turn that into the authority staff. I mean, all you have to do is take the very good structure that the government has already started to build and make it better.

At no stage, despite the perpetration of this untruth by the Chief Minister, have I ever said that Mr Snow or anyone associated with the Bushfire Recovery Taskforce was an unsuitable person to do that or that I wanted to replace them. I have had to rise in this place on a number of occasions and correct the record, and I will continue to do so.

MR SPEAKER: Order! You are debating the issue.

Mr Quinn: We know. We know.

MRS DUNNE: Well, don't keep telling lies.

MR HARGREAVES: Mr Speaker, Mrs Dunne said, "Well, don't keep telling lies" I ask you to ask her to withdraw that.

MR SPEAKER: When she returns to her seat. Mrs Dunne, will you withdraw that comment that you made?

MRS DUNNE: I did not think, Mr Speaker, it was improper to say that something had been a lie.

MR SPEAKER: I am not going to debate this. I heard you say, “Don’t keep telling lies.” Just withdraw it.

MRS DUNNE: I will withdraw, Mr Speaker.

MR SPEAKER: Thank you.

Appropriation Bill 2005-2006

Detail stage

[Cognate papers:

Estimates 2005-2006—Select Committee report

Estimates 2005-2006—Select Committee report—government response]

Proposed expenditure—Part 1.4—Chief Minister, \$64,088,000 (net cost of outputs), \$32,822,000 (capital injection) and \$5,842,000 (payments on behalf of the territory), totalling \$102,752,000.

Debate resumed.

MRS DUNNE (Ginninderra) (3.40): The expenditure in the Chief Minister’s Department ranges over an increasingly diverse variety of activities, from the normal things—a cabinet to support and the running of government, to sustainability, which has been there for some time, to now the addition of the environment and the wonderful thing that could probably be boiled down to the Chief Minister’s pet projects. The Chief Minister’s pet projects are the things that I will concentrate on for some time in my 10 minutes. I will go to the international arboretum and gardens or, as Mr Seselja so adequately called it this morning, the big tree farm.

I cannot get over the incandescent approach of this Chief Minister to this majestic policy, this vision, this icon. Everything that Mr Stanhope wants to put his fingers to has to be iconic. It reinforces everything that the opposition says is wrong with the international arboretum and gardens project. It is a vanity project by the Chief Minister. We know that Mr Stanhope is an avid gardener. I have seen him in his garden. I have seen him at garden centres. I know he likes to potter around in his garden. But the people of the ACT should not be paying a \$12 million, and increasing, premium for this man to indulge his personal passions. The Stanhope memorial tree garden, the Prince Jon the magnificent memorial tree garden is what we are having here.

When defending this project in question time, the Chief Minister has said, “There are a whole range of issues around our capacity to deliver the design.” We do not know what we are doing here, the Chief Minister least of all. Sandy Hollway was in the paper yesterday. He is a fine man. His passion for the arboretum was obvious. The prose was purple. It was adulatory. There was a crimson thread of companionship and patriotism running through all our veins manifest by Marion Burley-Griffin’s design. We had it

here today. They are all singing from the one hymn sheet, Mr Speaker, except when it comes to the money.

Mr Mulcahy: Ted is not so keen.

MRS DUNNE: Yes, perhaps the Treasurer is not so keen. I have to commend my colleagues and my staff for the work they have done on the appalling wantonness that we are buying ourselves into. We know that it proposed to have a 250-hectare arboretum. That is 1,000 acres in the old money. It is a damned lot of land, it takes a damned lot of water and it takes a damned lot of looking after. We know, and Mr Mulcahy has said it here this morning, that the amount of money it takes to run the 20 or 30-odd hectares of the national botanic gardens, a very small proportion of what Mr Stanhope is currently proposing, is \$8 million a year.

Yesterday in the paper Mr Hollway said, "This will be a national icon." If it is going to be a national icon, the nation should pay for it, not the people of the ACT. If the people of the ACT sign up to this budget line, what we will have is an open-ended bottomless pit of money that will be drawn out, and drawn out to throw at Mr Stanhope's vanity project.

The international arboretum is quite a good idea. When the shaping our territory report first came out, I was complimentary about the diversity of ideas and the range of things that they had there. There are some good ideas there. No one on this side has ever said that, in principle, the arboretum and garden is a bad idea. We have said it is a misplaced priority. Last year the government allocated \$10 million to the arboretum at a time when there was serious work to be done in land management. The previous estimates committee made recommendations about the arboretum. At the estimates committee just passed, my colleagues made recommendations about the arboretum. We have been consistent ever since it was announced. It is not that it is a bad idea. It is a misplaced priority when there is so much money to be spent on other things.

When it was first announced in last year's budget, I immediately said, and no one has ever contradicted me, that what we needed to do was to spend that money on land management. This time Mr Seselja and Mr Mulcahy, in their dissenting comments, have reinforced these comments. At paragraph 8.18 on page 19 they note that other sensible alternative allocations could have been for saving species, eradicating weeds, tackling erosion on the Lower Cotter catchment and fixing the fences between the reserves and rural lands.

There are still rural lessees in the territory who, since the fire, do not have boundary fences between their property and land administered by the government, for instance, Namadgi National Park. There are rural lessees who cannot run their properties because they do not have fences. They cannot keep their cattle out of Namadgi National Park. A rural lessee who was in Mr Smyth's office recently was telling me the problems that he had had, the anxiety he suffers, the illness that he has suffered. He cannot manage his property because the ACT government will not come to the party and build the fences that they have a legal responsibility to build. No one denies they have a legal responsibility to build them.

The New South Wales government built fences within a month of the devastating fires. Here we are in 2005, two and a half years after the fires, and there are rural lessees who do not have their fences built. But Mr Stanhope can go on with his vanity project because it is much more important that we have a memorial and an opportunity for Jon Stanhope to tend his garden than for rural lessees to run their properties. Mr Stanhope is effectively running these people out of business. They cannot earn income because they cannot run cattle, and they cannot sell cattle because the cattle keep escaping into the parks. This is what we have here. This is what we have everywhere.

We have the Office of Sustainability. Mr Seselja and Mr Mulcahy made very salient comments about the woolly thinking about sustainability that goes on in the ACT government. It is one of those catchall words. We have the Chief Minister talking about sustainability legislation that will be iconic. It is always there. He wants to be remembered for something. He is a bit of a dunce, but he wants to be remembered for something. He wants to be remembered for his landmark legislation and his landmark tree farm, nothing about looking after the rights and the everyday needs of the people of the ACT.

It is the wish of this opposition, and I hope it would also be the wish of the crossbench, to see some of the money that has been currently allocated to this vanity project going to proper land management projects, which are crying out for need. The underresourcing of the weed strategy is a national disgrace. The management of weeds, especially after the bushfire, has been a national disgrace. Mr Stanhope said, "There's no magic wand. We can't solve this problem." The magic wand is to get your staff out there spraying the weeds when they are coming up. That is the magic wand. But Mr Stanhope would rather spend money on a monument to himself, rather than the simple, everyday, practical things that government should be doing, such as spraying the weeds on the land that they manage, making sure the fences are secure on the land that they manage and doing something about erosion, which impacts highly on our water quality and the quality of the water of people who live downstream of us. But that is not important. He is only interested in what makes him feel good.

We have significant problems in the heritage unit, as Mr Seselja touched on. The heritage unit does not have the resources to do all the assessments it needs to under its new legislation. The heritage unit is in disarray, which has been manifested by the case that Mr Seselja and Mr Smyth brought to the estimates committee and which Mr Seselja touched on today. All of the general administration of environment is just nothing because Jon Stanhope is really only interested in water. We see in the recommendations today in response to the major report that the government does not think it is important that we should put some more money into the water strategy. It is enough. We really need to put our money into Mr Stanhope's vanity project.

DR FOSKEY (Molonglo) (3.50): I suspect that I will need to talk for a couple of periods on this line, although neither speech is likely to run for a full 10 minutes. I would like to reassure members that my speeches on most of the other lines of this budget are shorter. Given that, I will address issues of the environment on this first occasion and other budget initiatives and shortfalls next time around.

As I said in May, I think it is very clear that this is not a Green budget. I would like to raise a number of questions relating to the environment and environment-related

programs. I would have to say there is a very big gap between what this government promised in the lead-up to the election and what it chose to deliver.

Firstly, I want to talk about the rehabilitation of the Cotter catchment. I recently had the opportunity to be taken out on a site visit and to hear first hand from ACT Forests and Environment ACT about the work that they are doing. It was a valuable exercise and seeing it first hand really does bring home the scale and complexity of the task. Whether we plant with pines or natives or grassland species, the initial job of getting it ready for anything is, and continues to be, significant and resource intensive. ACT Forests and Environment ACT put some convincing arguments as to why having parts of the catchments restored as grassland for grazing is not viable.

I am pleased to see that ACT Forests and Environment ACT have taken up informed advice and show their commitment to the restoration of our catchment. The ACT Greens are still of the view that planting with pines will compromise the core objectives of maintaining water quality and quantity. It was particularly pleasing to see significant areas of natural regrowth of native vegetation and that was before, and just immediately before, the recent rains.

This again is an area that warrants further consideration. However, it is clear that there are many complexities in addressing this issue. Therefore, I am pleased that the estimates committee report notes the “need for a review of the progress and means of the rehabilitation to be reviewed by the end of 2005, including scope for public and scientific input”. I call on the government to take heed of this recommendation, particularly the need to continually engage with the scientific community on this matter and to report to the community at large on its thinking and actions.

Talking of rain, there are issues in regard to the implementation of the think water, act water strategy. As you will all be aware the ACT Greens are strong advocates for the desirability of water conservation measures as a way of addressing our water supply issues. Essentially, we argue that, by looking at water demand, we can significantly reduce our water consumption and, in so doing, shift our thinking about large-scale water supply options. Therefore we are pleased that the government has committed to significant targets to reduce consumption of potable water. However, we just do not feel that adequate resources are being allocated to meeting this task. In that context we were extremely disappointed to discover that this budget significantly cuts funding to the implementation of the think water, act water strategy. The government’s response to the estimates reports indicates no rethinking on this matter.

This is even more odd in view of the fact that the program has only been in place for a year and is yet to be evaluated for its effectiveness, although I understand that a review is in the pipeline. In this context, I hope that the government agrees to support the committee’s recommendation No 4—we already know that there is no commitment there—that greater consideration be given to additional resourcing to implement the water conservation measures of think water, act water once a review of the first year of the program is completed.

Finally, on the topic of water, I would like to comment on the need for separation between Actew’s role as water supplier and its role in providing advice to government. I still suggest that, while Actew has clear competence and expertise, there needs to be

a very clear separation of roles. The Greens' view is that policy advice on water issues should sit with Environment ACT as the water resource manager under the Water Resources Act or under the Office of Sustainability. From my observation during the estimates process, this separation does not appear to be that clear cut. I will work to ensure that we have much more coherent management arrangements for the upper Murrumbidgee catchment in the ACT, which includes the Cotter and the Molonglo catchments.

It is very hard to judge how serious the government is about energy efficiency when it has failed to fulfil its election promise to provide \$5 million on energy efficiency measures in ACT schools. It has also allocated just \$1 million of a promised \$4 million strategy for energy efficiency in ACT public housing. It is worth noting that the conservation council, in its statement to the estimates committee, said:

We were disappointed with the allocation of funding for the improvement to energy efficiency of public housing. This budget has allocated \$1 million. There was a promise of \$4 million. That promise of \$4 million was welcome but was only a portion of what we have estimated would be required. Our figures show that we would need \$30 million in order to bring the current housing stock up to a decent standard of energy efficiency. While the \$1 million will translate into real results, we need more money for that sector.

The improvements to energy efficiency will translate into savings to the tenants, but that also helps to address their utility debt, which can in fact translate into fewer rent arrears and therefore increase the return to government in the management of the public housing stock and help to prevent homelessness.

There are other areas of disappointment about funding to the environment section of the Chief Minister's Department: the overall 6.6 per cent cut; no ongoing funding for the wood heater rebate scheme or the solar hot water rebate scheme and the lack of funding for the review of the Nature Conservation Act.

As I said when the budget was released, the government was elected on a strong environmental platform. The government knew that people in the ACT think about the environment and care about it when they vote. It was willing to come up with promises then, but is disappointing to see these cuts, these staff losses, these broken promises and minimalist new initiatives. I was particularly surprised that the government did not allocate additional funding to the office of the Commissioner for the Environment, given the independent advice that has suggested that the office is underresourced to meet its statutory obligations. It would seem that the government sees such statutory oversight and advisory bodies as an optional extra, rather than one of the basic building blocks of an environmentally sustainable society.

MRS BURKE (Molonglo) (3.58): I would like to make some comments regarding the women's portfolio area. Clearly the report identifies not only that there was considerable discussion about the women's budget statement, but also, of course, that there was confusion amongst members about the capacity of the Minister for Women to comment on areas noted in the statement. To that end, I note that the committee agrees with the minister's suggestion that, "It may be useful to cross-reference programs mentioned in the statement to the relevant area in the budget papers where more details, particularly funding levels, are included and trust that this will be addressed in future budgets."

I think that, to that end, recommendation 5 certainly would help. Recommendation 5 reads:

The Committee recommends that, in future, the Women's Budget Statement cross-reference programs mentioned in the Statement to the relevant areas in the Budget Papers.

Members who were before the committee and people trying to ask question found it incredibly difficult, as did the minister, I have to say, so I am just hoping that we can refine some of that and learn from this process for the next budget. I know that the minister has committed to work on that. Also, recommendation 6 states:

The Committee recommends that, in future, the Women's Budget Statement include a fuller economic based gender analysis of the budget.

I look forward to any efforts that can be made to that end for next time.

From the outset I commend the government for its sustained efforts in addressing and tackling some of the more difficult issue that women face, such as bringing into the public spotlight the issue of domestic violence. I welcome the increase of \$482,000 over four years in additional new funding. It certainly does mean that programs like this can have certainty and can continue to work to address the effects of domestic violence on family members living within troubled relationships, and also, of course, the community around them.

Ongoing funding, as I have said, is vital in assisting such services as 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 continues to be maintained in order to respond to women who have suffered abuse from their partner. They will work in conjunction with the Canberra Rape Crisis Centre, which also convenes a weekly support group for survivors of sexual abuse.

At this point I might say that focus needs to be directed, or refocus needs to be directed towards men in our society. I have said this many times. We need to refocus on the role that they play and how we can better assist in times of personal crisis, relationship breakdowns or in addressing anger management and/or violent behaviour. I should note here, too, the government's commitment. We are hearing more about men's programs being funding and I certainly welcome that. If there is a way forward in addressing the complex problems faced by men, then we are at the same time possibly able to better address the needs of women.

Community education programs will obviously need to be continued to address the causes of violence. Funding initiatives may only deal with the effect, but education and the acknowledgement of some previous approaches to dealing with domestic and other forms of violence needs to be readdressed and continually revisited. I note that during the estimates hearings the minister pointed out that the role of Minister for Women does not exclude men. I note that paragraph 4.46 on page 50 of the select committee's report, in part, states:

There was some discussion on whether there was a need for a minister for men in addition to a minister for women. The prevalence of youth suicide among men was noted by a Member as an example where they believed there would be benefit from the sorts of approaches being achieved for women across government through there being an Office of Women and a responsible Minister.

My colleague Mr Seselja brought up this issue at the hearing and I had brought it up before. I guess what I am saying here is that it would certainly assist the needs of women if the needs of men were to play a more integral part within the Office of Women. I know that sounds odd, but we cannot take one without the other and some thought ought to be given to that.

It is encouraging to hear the statement by the minister. It can be backed up with a serious refocus by taking, as I have just suggested, a two-tiered approach. There is no doubt that women have historically been dreadfully disadvantaged in a number of ways and there is much evidence to support this. Interestingly, though, there is little evidence to support the argument that men, in some similar ways, face some of the challenges that women face. We do not seem to have documented that as well, and I think that might be useful data to collect to correlate those two things so that we can better target funding in the future. This may well be a challenge that the Office of Women might like to devote some efforts to, with the ultimate aim of discovering how the disadvantages faced by men in our society today directly or indirectly impact upon women and children.

I believe it would be beneficial for the Office of Women to further strengthen its ties with some of the men's groups in the ACT and men within the broader community to harness a better understanding of some of the benefits of cross-pollinating in relation to sharing information that will strengthen policy development that is beneficial to the needs of women and men. For the sake of the wider community, it is imperative that the Assembly work together to find practical ways forward in addressing some of the imbalance in society between the needs of women and men.

MS MacDONALD (Brindabella) (4.04): Mr Speaker, I had not intended to speak on this line item but I cannot let that last speech go by without making a few comments. Mrs Burke has brought this up a few times. She seems to make this very strange link that providing an office for the status of women leads to depression in men.

Mrs Burke: Whoa! I never said that. What rubbish.

Mr Seselja: I think she is verballing you, Jacqui. When they don't know they make it up. Make it up, Karin.

MR SPEAKER: Order, members.

Mrs Burke: I was congratulating the government.

MR SPEAKER: Order, Mrs Burke.

MS MacDONALD: Mrs Burke has made the comment about youth suicide with men. She has been quoting issues to do with youth suicide in men in relation to the ACT Office for Women. I do not really get where the link is between that and funding the Office for Women, which is what the budget line item is about, Mrs Burke.

Mrs Burke interjecting—

MR SPEAKER: Order, Mrs Burke.

Mrs Burke: Sorry, Mr Speaker, it's a bit painful though.

MR SPEAKER: Well, Mrs Burke, you—

Mrs Burke: I am congratulating the government.

MR SPEAKER: Order, Mrs Burke. These are debating points and, if you want to enter the debate, the standing orders provide for it.

Mrs Burke: They do, indeed.

MS MacDONALD: Thank you, Mr Speaker. Mrs Burke protests that this is painful to listen to—well, I have to say there are many people in this place and out in the community who do not agree with the points that she continually makes about the Office for Women needing to represent men and include men. It says quite clearly in here, and the minister has made the comment—

Mrs Burke: It's called balance, Ms MacDonald.

MS MacDONALD: Mr Speaker, I listened to Mrs Burke in silence, and I would ask that she give me the same respect. Whether or not she likes what I am saying, I did listen to her quietly so I would ask for her to do the same for me. The fact is that the minister said, "I am the minister for women and that does not mean I am the minister for the exclusion of men." I would not want to speak on behalf of the minister, because I know that she's quite capable of doing that herself, but the fact is we are talking about the funding for the Office for Women. We are not talking about your view on policy with regard to women. We are talking about the funding of the Office for Women. This may be a debate for another time. In fact, I believe we have had this discussion at another time when we talked about the elimination of violence against women. Mrs Burke, it is just nonsense to continually bring up this view of yours that we should be talking about the Office for Women in relation to how it relates to men.

This is a new office and the Assembly, at the estimates committee last year and this year, has certainly been taking its time getting used to the best way of dealing with it. The government has taken on board what we have said about the best way to itemise the programs within the individual departments that relate to women, and it has responded positively to that. What Mrs Burke has said about needing to take account of the effect on men is nonsense. This is the Office for Women, as the minister quite clearly stated in the estimates process. There is a reason we have an Office for Women and that is that, overall, women are not as well off as men in many different areas—job prospects, finances and welfare. There are so many different areas. That is why we have an Office for Women, to coordinate those areas. This is not about the exclusion of men; it is, however, about highlighting the needs of women.

MR STEFANIAK (Ginninderra) (4.09): Mr Speaker, I have a number of areas. In the last few months, the Chief Minister's line has taken over the dragway. Now that in itself might not be a startling development. There is a lot to be said for coordination—

Mr Seselja: They are not building it, Bill. They are not going to build it.

MR STEFANIAK: Exactly, Zed. There's a lot to be said for coordinating at a central level that particular important project. However, some very disturbing signs came out of this estimates committee. Mr Seselja has touched on a few, and I will talk about that as well. In October 2004—in fact, I think it was the Thursday before the election—I suspect in somewhat of a panic, because the government realised how important this issue was to so many people in Canberra, the Chief Minister came out with an unequivocal statement that the dragway would be built. They would spend \$8 million on it and it would be built in 18 months.

Mr Quinlan: It got us over the line.

MR STEFANIAK: It might have got you over the line! In December, and I think it might have been Pearl Harbour day, he reiterated that statement and said that the dragway would be built in 18 months. That was certainly a very brave statement, given the history of this project, but it was a welcome statement. Indeed, one would think that the government was absolutely committed to building this dragway. It promised it in 2001 but had not delivered anything in 2004—had made no real steps to do it—and promised it again in October and December 2004. Since then, very little has happened.

We have finally got a committee organised by the Chief Minister to supposedly see this project through. It has only recently been formed and, I understand, it has met at least once and possibly twice by now. It was in the *Canberra Times* a couple of weeks ago. We also have had the Chief Minister appear at estimates. But I do not think dragway supporters or motor sport supporters can take much heart from what he said, and he said a number of things there. I understand that only one area is being considered, Majura. I think the government has absolutely ruled out any other sites. I think he might have said that at estimates and certainly it has been said to people involved in this issue that there are no sites other than Majura. He also said a whole lot of conditions had to be fulfilled and I think he talked at the estimates about noise. Motor sport is noisy; it is always going to be an issue. It is an issue you need to overcome. You need to weigh up what is in the public good, and public good quite clearly comes down very much in favour of building a dragway and motor sport facility, but the Chief Minister's left that as a bit of an out.

Also, for a government somewhat profligate in its spending—having raised the amount from \$2.024 million in the last budget to \$2.7 million now—the Chief Minister has refused to commit anything more than the \$8 million. It is \$8 million and not a cent more. As a result of what the Chief Minister has said in the estimates process, there are some real questions over the dragway. I am a bit worried about the two excuses he has used. The first is that he has this committee to oversee the dragway. What happens if the committee does not agree? Will that be used as an excuse by the government to say, “Well, the committee cannot agree, therefore, we cannot go ahead with it”? What if the project costs more than \$8 million? Because, remember, those figures are probably the 2003 figures. We made the promise in October 2003 and the government said it would

do the same. They started putting money in the budget last financial year, but that is now two years ago. There is a built-in factor for the prison, but there is not a built-in factor for the dragway. Is that going to be used as an excuse for the government to say that we can have only half a dragway or three-quarters of a dragway or that they are not going to build it because they cannot spend more than \$8 million? If that is the case, there will be a lot of disappointed people.

I have had a look at the make-up of his committee and there are some fundamentally opposing points of view there. Naturally there are residents in Hackett and Downer who do not want to see a dragway. There are residents in Hackett and Downer—I think there were about 19 households back in 1980—who did not want Prime Minister Fraser to cater for the V8s. Maybe he would have done us a great favour had he actually ignored them and done so. I am sure you will find on this committee that there are residents from Hackett and Downer who do not want to see a dragway built. Whilst they are entitled to their view, I would hate to see this government, this Chief Minister, use the fact that the committee does not ultimately agree as an excuse not to build a dragway.

You have got to look at what is in the public good. You are not going to have a huge drama, I would submit to you, with noise. You would probably have a couple of really major events a year, with a lot of it being ACT, NSW and Queensland registered street cars using the dragway. I think it is quite an unreasonable excuse to say, “Our committee couldn’t agree. Some of the residents of Hackett and Downer don’t like it so we will not do it”. That is a feeble excuse and an abrogation of your responsibilities to the people of the ACT to build this dragway, to the people to whom you promised at two elections to build this dragway.

Mr Smyth: Talk softly, Mr Stefaniak. Mr Quinlan has nodded off.

MR STEFANIAK: Oh, okay.

Mrs Burke: Are you with us, Treasurer?

Mr Quinlan: Say something exciting!

MR STEFANIAK: We see now with the \$8 million that the Chief Minister has indicated that there will not be a penny more, a cent more. My colleague Mrs Dunne and my other two colleagues on the committee have talked about the arboretum—this grandiose, wonderful creation for Canberra. It is to be a monument to the Chief Minister—you know, the Hanging Gardens of Babylon transported to the banks of the Molonglo! We do have Commonwealth Park. We do have Floriade and we do have Tidbinbilla—albeit 95 per cent of it was burnt, but it will rejuvenate. We have some wonderful areas in the ACT and maybe the arboretum might be a good idea down the track, but not now, not during a drought. I do not think it is a great priority for the people of Canberra, but the people of Canberra certainly want to see a dragway. And you lot have made two lots of commitments, concrete commitments, to the people of Canberra to build a dragway.

My colleague Mrs Dunne indicated that some of the money for the arboretum could be spent on land management projects. I put it you that some of the money from the arboretum could be spent, if need be, in exceeding that \$8 million to build a dragway in

the Majura Valley. It could be somewhere else but it does seem that Majura is the best site. I do not think you can use that as an excuse not to go ahead with the dragway. I was concerned in estimates to hear the number of excuses being given, perhaps triggers, by the government for no action. You have twice gone to the people on it. You need now to fulfil your commitment, and we on this side of the house would be absolutely delighted if you did fulfil your commitment to the people of Canberra to build the dragway. There are so many people, for so many reasons, who want to see it happen.

Whilst I am talking about the Chief Minister, I also understand the Chief Minister's area has taken over another matter in relation to motor sport, and that is the issuing of a lease to Fairbairn Park. I commend the several members of the government, including the Deputy Chief Minister and some other people there, who have shown great dedication in seeing the issue through. I also understand, as has often been the case in this, you have been thwarted by certain views within the public service, by potential conflicts between people who might know one or two major opponents of anything to do with motor sport at Fairbairn Park. Again, I would urge you to see this through. It is only the granting of the lease, and I am well aware that there are some people in your own bureaucracy who are trying to shaft you. It is something that was taken over at the whim of the Chief Minister. Theoretically that is good but we want you to see that through. I certainly urge you to take on board what I have said and see it through.

I do not know that it came up much in estimates but it has been a running sore for a long time, and it is something you have the ability to see through. It will be of significant benefit to thousands of people, especially for a lot of the young people who derive so much enjoyment—and, in some cases, employment—from motor sport and motor sport-related activities in the territory. I am not going to talk on the human rights issues as my two colleagues on the committee have covered those. I will raise those during the debate in relation to JACS.

DR FOSKEY (Molonglo) (4.19): Seeing industrial relations comes under this heading, it is the place to address the issue of wage parity for people working in the community sector, which we believe needs to be recognised as a priority. To delay wage based indexation for community organisations is very harsh, particularly in light of the relatively large pay increases provided to public sector employees. I acknowledge that the community sector task force has been established and charged with looking at the wage parity issue, but I am concerned that this issue is not being recognised as urgent. The current staff turnover rate in the community sector of around 30 per cent is threatening the viability and effectiveness of important social services. Community groups such as the conservation council and the RSPCA have effectively suffered a funding cut, as there is no provision for consumer price index increases or salary increments. I support the call from ACTCOSS for the government to assess the worthiness of all proposals received by the community inclusion fund, which was significantly oversubscribed, with a view to providing additional funds in the budget to fund proposals in line with the objectives of the fund.

I am very disappointed that the ACT government has changed its position on conducting an inquiry into retribution in aged care facilities. In February this year, the Chief Minister gave a commitment that this inquiry would be held and terms of reference were in the process of being developed by the Office for Ageing. However, in answer to a question on notice during the estimates process, the Chief Minister has revealed that no

such terms of reference have been developed and the government no longer intends to conduct an inquiry, opting instead for some improvement to complaints handling. This is an inadequate response that flies in the face of the Chief Minister's earlier statements on this issue.

I am also concerned that many of the digital divide program initiatives are due to come to an end this year or next and there does not seem to be an ongoing commitment to addressing technological disadvantage. This is not an area in which a number of one-off initiatives are likely to have a sustainable impact. I would like the government to use the next 12 months to identify future strategies for addressing this issue. I generally support the other budget initiatives in this line but would like to be clear that, while the ACT Greens support the rebuilding of the rural villages, we are concerned that a substantial expansion in the size of these villages could be the first step towards more intensive urban and semirural development west of the Murrumbidgee, which would lead to an urban sprawl that is socially and ecologically unsustainable.

I now move to policy issues. I find the government's commitment to monitoring the ACT women's plan unsatisfactory. There appears to be little data measurement against the indicators listed in the plan and a lack of resources allocated to the achievement of key objectives. I would also like to see a better process of gender analysis applied to the budget and improvements to the presentation of the women's statement. I suggest that a gender analysis would solve the issues Mrs Burke raised. I am sure those issues are strongly held by her, but a gender analysis does encompass the issues related to both men and women. There are clear guidelines produced by the commonwealth Secretariat as to how to conduct gender analysis. It should not be fobbed off anymore.

With respect to heritage, I am not at all confident that the increased workload brought on by the new Heritage Act can be dealt with effectively by a team with decreased funding. This seems another instance where implementation is likely to lag behind the legislation and the vision. I also urge the ACT government to be brave with the arts. ArtsCapital, the ACT government's arts development strategy, is being revisited this year, six years after its introduction. Apparently the ACT key arts policy and advisory board, the ACT Cultural Council, will be providing some advice to government on the matter. I can see no reason why its advice and ideas need to be confidential, when much more can be gained by having a public discussion.

Finally, it is my turn to talk about the proposed arboretum and the dragway. Perhaps I would be better disposed to the ACT government's building an arboretum if the ACT were in an economic, environmental, climatic and social position for this to be a priority. If it is to go ahead, I believe there is a strong case to be made to develop the project in partnership with the commonwealth government. The Chief Minister likes to speak of it as a feature for the national capital and, if that is the case, I think there are good grounds for acquiring commonwealth funding. However, I strongly believe funding this initiative in this ACT budget instead of making investments in affordable housing and other higher priority initiatives such as mental health and environment is a mistake. If it is tourists we want, using the terms the Chief Minister uses when speaks about the arboretum as a draw for tourists, let us instead encourage them to our world-class grassy woodlands which are, as the *Canberra Times* pointed out this morning, unique to this area of the world. Let us get them to look at our exemplary catchment management, where we have some of

the world's cleanest and most plentiful water. I contend that in 10 or 15 years people will travel long distances to see a city that has got it right.

The proposed dragway is another project—and here we will not see confirming murmurs from the opposition—that we consider should be low priority, with funding redirected for more urgent needs. The difficulties in selecting a suitable site and in assessing noise and other environmental issues, which have resulted in the \$4 million allocated to the project being rolled over from 2004 to 2005—it was \$8 million I believe—are not going to go away. The government's own analysis of dragway options found that there is not a suitable site for the dragway in the whole of the ACT, and there is absolutely no evidence to show that significant social or economic benefits will result from a dragway. Indeed, I have never been able to understand why the Liberals' dragway—we all remember that sticker "Vote for a dragway: vote Liberal"—has become ALP policy, against the advice of its own report.

Not only has the government failed to invest in public housing, but also it has not pursued innovative models of shared equity or other forms of permanent affordable housing, nor has it kept its promise to invest in water and power efficiencies for the public housing that it has. One of the key issues facing our community is housing affordability, and I believe a Labor government should have made that a priority ahead of the arboretum and the dragway. I will be opposing this line in the budget on the understanding that, if I were to attract majority support, the onus would be on the government to come back to the Assembly with those items removed from the projected expenditures and extra funds for public housing proposed instead. I would also be willing to see some dollars spent on the land management measures that Mrs Dunne mentioned.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (4.28): I wish to respond to those issues that have been the major focus of debate or discussion on this particular line. Essentially, they boil down to the arboretum and the dragway, interestingly, and. I am happy to respond to those. To the extent that members have focussed on those particular issues, I accept that they are reasonably comfortable with much of the other expenditure proposed through the Chief Minister's Department, and I thank them for that.

In relation to the dragway, there is a very good process in place. We have made a commitment to support motor sport in the ACT and I thank Mr Stefaniak for his gracious acknowledgement of that in relation to Fairbairn Park. There are issues there and I acknowledge we are working very closely, through the Treasurer, Mr Quinlan, with Fairbairn Park to address some of the longstanding issues they have experienced with their site. We are very happy to be working with Fairbairn and I hope at the end of the day, through the process being pursued, we will be able to deliver a much better facility and service for them.

Similarly, I think we all know the history of the dragway. The dragway debate has been around for some years. My government committed \$8 million to this project and that was matched, I note, at the last election by the Liberal Party. We went to the last election with exactly and precisely the same commitment, namely \$8 million. I find it somewhat bemusing now to see that the \$8 million commitment the Labor Party made is suddenly

derisory in its content, but it is exactly the same commitment that the Liberal Party made. I wonder how they rationalise that in their attacks on me and my government for that commitment of \$8 million. I am not quite sure how a Liberal Party \$8 million is any different from a Labor Party \$8 million but that was the commitment we made: it is the commitment the Liberal Party made. I find it highly amusing that suddenly \$8 million under Labor does not equal \$8 million under Liberal. It really does bemuse me.

It is a good process that we have put in place. I have asked people like Geoff Cannock to be on the committee. I do not know what members of the opposition know of Mr Cannock, whether they know him personally, but I have no doubt that, as a person, they would hold him in very high regard. He has extensive experience in relation to motor sport, and is in fact one of the original shareholders in the original dragway that was constructed in the Majura Valley. He has a longstanding and deep interest in the dragway industry and fraternity. He is well known and highly respected. His knowledge of dragways is perhaps second to none but equalled perhaps by Geoff Develin, who is also a member of the committee. We have on this committee people of the standing and stature of Geoff Cannock, Geoff Develin, Ian Watt, from Fairbairn Park, and James Koundouris, a noted racing car driver and supporter of motor sport within the ACT and Australia. In addition to that, we have representatives of community groups from Hackett and Watson, as you would expect of communities that, potentially, will be affected. We also have a representative of the strategic implementation group and a noise or audio expert from ADFA.

It is a very fine committee of people with understanding and experience. Geoff Cannock, a devotee of dragway racing as a sport and somebody who brings real integrity, real understanding and knowledge to the discussion of the issues, will chair it. To suggest, as have my colleagues in the opposition, that this is some sort of front, some sort of device, does an enormous disservice to those very fine Canberrans who have agreed to serve on this committee—people like Geoff Cannock, people like Geoff Develin, people like Ian Watt and people like James Koundouris. These are not people who work for the Labor Party: none of these people is a member of the Labor Party. I am not sure that they even support my side of politics. They were appointed because of their knowledge and expertise in dragway and motor sport, and because I want good advice. I want good strong, knowledgeable, technical advice on the feasibility of that site and what we need to do to bring this project to fruition.

But it is asking a lot of a government to go ahead, identify a block of land, which we have done, and say, “Right, that’s it,” and plunk. Surely to goodness the opposition accepts, as any thinking person would accept, that you cannot just build or deliver a facility of this sort that generates extreme levels of noise without some understanding of what it is that you are foisting on the neighbours or on communities adjacent, and that is what we are doing. We are doing it through this committee and we are doing it through expert advice from Environment ACT and others. We will look at all the issues and there are some significant issues that will impact enormously on the neighbours.

Some of the neighbours will not be able to remain in their homes. It is quite likely that there is a range of issues in relation to relocation that we need to deliver. We need to show some understanding and sensitivity to some of these issues. The house on the neighbouring property will be 100 metres from the finish line of the dragway. These are difficult sensitive issues that we have to work our way through. Now, you do not just

bulldoze through an issue such as that. You deal with it with some sensitivity and some understanding of the implications for other people, their lives and rights, and that is what we are doing. But we are genuine: the committee has been appointed. We are working through the issues, we are committed to the project and the money is in the bank.

In relation to the arboretum, we had some discussion of that, and I do not know that there is very much more that I could say in relation to it, other than that it is a project that I think is very important to the future of the ACT. It is a significant project. It is a significant addition to the suite of major tourist attractions that we have as a community, that we have been blessed with, such as the national parliament, the war memorial, the national gallery, the national library and the national museum. We have been blessed as a community, as the national capital, to have such wonderful iconic national institutions within our community. We rely on them, significantly, for tourism and industry and for the economic benefit that flows from that.

But we need to continue to renew. We seek to renew through projects such as Floriade. We seek to renew through attracting to the ACT conventions and business, and performances and blockbuster exhibitions. We need to continue to think about what more we can do. This notion that we can be complacent, that we will be all right at the end of the day just simply will not wash. We need to continue to strive to advance our appeal as a destination. And I would have thought anything we can do to do that would be supported by everybody in this place. This is not a short-term project. We will not see those flows of tourist in the short term, but we will in the medium term. I am certain of it. That is my judgement and I believe I will be proven to be right. In time, this will be a major attractor of people to the ACT.

We need to keep working on our attractiveness as a destination. In Japan, in discussions I had with Australia's commissioner at the expo, it was confronting to have explained to me that, of the 770,000 Japanese tourists who visited Australia last year, less than 20,000 came to the ACT. That really is a challenge. You ask: "What can we do about that?" We can roll over and say that it is all too hard; that we will not embark on a major new venture that we believe will attract the imagination of overseas tourists, as well as domestic tourists, or we can say that we will take this opportunity, out of the devastation of the fire, to rebuild on that site something that all Canberrans can be proud of, that they can visit at their leisure and take their business and families to, that can be used as a magnet to attract people from overseas to Canberra. At the moment, we are not succeeding in attracting international visitors to Australia to Canberra. Less than three per cent of all international visitors to Australia bother to come to the national capital of the country.

We need to continue to find these markets that set us aside as a place that must be visited—a must see destination, the national capital of Australia, Canberra, our home. Our future depends on it, just as it depends on our capacity to otherwise broaden our economic base. I believe this is a wonderful project. I am disappointed that it has not attracted bipartisan support. I believe the people of Canberra will embrace it. It will be a wonderful addition to our suite of committed projects for the people of the ACT. I commend the budget to the house.

MR SMYTH (Brindabella—Leader of the Opposition) (4.38): The Chief Minister made some interesting observations about the arboretum. He spoke about how important it is to diversify our economic base, how important it is to not be afraid to have new attractions and how important it is for things to occur. Yet in the first 3½ years of the Stanhope government, nothing occurred.

I want to quote the example of the National Zoo and Aquarium. The National Zoo and Aquarium meets all the criteria the Chief Minister was just talking about—vision, long-term investment, something unique, a new attraction. And what did the Stanhope government do to the National Zoo and Aquarium? They threw obstacle after obstacle in its path. The zoo is still asking for a block of land that was burnt out in the December 2001 fires. That is our commitment to diversifying our base; that is our commitment to having something unique!

The zoo is winning awards. It has received awards at tourism shows for the programs it runs—to come and see the big cats, to go behind the scenes, to feed the honey bears and all those sorts of things. The zoo wanted to set up, almost within the shadow of our federal parliament, a range zoo with rhinoceros, elephants and giraffes out in the savannah. I would have thought that would be fairly majestic. I would have thought that that would have been unique to a capital city. Not even Pretoria or Cape Town has a range zoo within the confines of their cities. But we could have that here, Mr Deputy Speaker, in the national capital of Australia if we could just get this government to stop sitting on its hands and do something. But the problem is that Jon Stanhope did not think of it. This is why we do not have such a majestic attraction.

Let us look at what they have done in the past couple of years. They have canned the V8s, they have not helped the zoo, they have come up with an idea for an arboretum and we have got a bike ride. At the end of four years of office we will have a bike ride for which there is some money this year, which does not generate any additional staff inside the tourism unit, and which is not fully funded in the out years.

Mr Stanhope ought to look at himself before he comes down here and berates us about not supporting an idea that we do not see as sustainable, not based on what he is saying but on what the ACIL Tasman report says it needs—\$20 million to set it up and in its fourth year of operation about \$4.3 million recurrent to run it, none of which appears in this budget.

The problem with this Chief Minister is that his Treasurer cannot control him. The problem here today is that Mr Quinlan is in retirement mode. He is waiting for the opportunity to go. He is sick of his colleagues. We have got this sort of “why bother?” budget in front of us. “Why do I bother? Nobody listens to me.” says the Treasurer. Then we get this appeal from Prince Jon the Majestic—on his own assessment, what he is doing is majestic. My old mum used to say, “Self-praise is no recommendation.” So don’t lecture us, Chief Minister, about our lack of support for a half-baked idea that will cost money long term that does not appear in your budget. You ought to get your budget priorities right, such as addressing things like the hospital waiting lists and the need for additional police officers, before you go haring off on ideas like the arboretum.

This arboretum will be larger than the Australian National Botanic Gardens whose budget is about \$8 million a year. About 60 staff are employed by the botanic gardens

and its developed area is much smaller than that intended for the arboretum. The problem is that the work was not done before we lashed out. Nobody read the ACIL Tasman report. They took all the upside, all the good bits, and said, "Yes, yes, yes." But read the assumptions, Mr Stanhope, and if you cannot understand them get the Treasurer to explain them to you. I know that he understands what the assumptions are—\$20 million of capital input over the start-up years, and by year four more than \$4 million worth of recurrent. That is your problem, Chief Minister, and that is why it has got no support.

We see this half-baked application across the entire Chief Minister's portfolio, whether it be in environment or whether it be in heritage. And let us talk about heritage. When heritage came up in the estimates process, discussion was gagged by the chair of the estimates committee, Ms MacDonald, as she gagged so much other debate. We have got a heritage unit that is not under control and a heritage unit that is not really looking after the heritage of the ACT. They seem to be looking after the status quo.

We have a house in Reid where the proponents have gone through almost two years of living hell because the ACT Heritage Council changed its mind. They are not my words; they are Mr Corbell's words. According to the report, the Heritage Council changed its mind. The planning minister washed his hands of the Heritage Council. We have a chief minister who will not take a critical look at his heritage unit and say, "We got it wrong," and apologise to this family that they got it wrong.

This family has done a quality development. You cannot see most of the development from the street. Most of his neighbours signed off and said, "We think it is a great development." But we have got a heritage unit that apparently, based on the documents that I have seen, briefed the Reid Residents Association. That is how it appears. There is a document that shows that the strategy that the Reid Residents Association followed as to what will happen is laid out in the handwriting of a public service officer. You have to question that, Mr Chief Minister, but you will not. Your officers in this case have let down this family in Reid. That is the sort of Chief Minister we have.

Have your grand ideas—that is fine—but let us think about what happened during the 13 years that Mr Stanhope was an advisor to a previous federal Labor administration. Let us look at just one example—the national museum, which languished for 13 years under a federal Labor government to which Mr Stanhope was an advisor. Where was the fearless voice calling for—

Mr Mulcahy: Along with Mr Costello.

MR SMYTH: Yes, along with Mr Costello from Actew. Where was the fearless Chief Minister then calling for the museum to be built? Where was the majestic vision then for a centre that looked at Australia's cultural identity? Well it must have been somewhere else because it certainly was not with the Labor Party and it certainly was not with the Chief Minister. Yet, as quickly as physically possible upon coming to office, the Howard government moved to complete the work started in 1980 by the then Fraser Liberal government to build the National Museum. So do not come down here and talk to us about grand visions and all the things you are going to do. The reality is that your government is sadly lacking, as the former federal Labor government was sadly lacking as well.

Mr Speaker, during the examination of the environment area of the Chief Minister's Department I was particularly interested in the delay by the Chief Minister on water issues. We know that they have got the reports from Actew. At least the Treasurer has done his bit. The Treasurer seems to be the only part of the government that works. He also seems to be only part of the government that gets ignored by the rest of his colleagues, probably because he does the work. Actew and Treasury have done their work. They have handed the documents over to the government to look at. When are we going to have a decision on whether or not we need a new water source, a water storage facility? We are told December, so we are seeing more delay.

A footnote in the history of the Stanhope government will be that they ended up in a thesaurus as a synonym for delay—"Stanhope government: delay." Those words will be absolutely interchangeable. The problems are delay and indecisiveness. The problem here is that they cannot and will not make a decision. They cannot do it quickly and so any decision will languish for another 12 months.

Apparently we were told on radio that it was the commonwealth's fault that the Chief Minister cannot make a decision. Good excuse—blame someone else. I think a health document said to blame the former government or blame the federal government. Maybe that estimates document from a couple of years ago has been circulated again for people to get their excuses right.

Mr Deputy Speaker, there is not a lot in this budget that shows leadership. There is not a lot in this budget that shows the government has considered what it is it should be doing. There is not a lot in the Chief Minister's portfolio that commends him and his vision to the people of Canberra. There is not a lot more to say.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (4.47): Seeing that Mr Smyth referred to leadership, let me declare where I stand. Mr Smyth, I like you right where you are, mate. You have my support as leader of the opposition, and may you stay in the job, may you hold the job, for many years to come.

I want to refer to a couple of things. I do not want to go overboard but what we have seen is pretty much a scatter-gun approach. Everybody picked up on the arboretum and then the dragway, and from what I heard, the rest of it did not amount to much. Mr Smyth accused Mr Stanhope of blaming the commonwealth for not picking a dam or not taking a dam to somewhere that has not even been investigated. Mr Smyth, I think the debate this morning was about water to Yass, and that is where the commonwealth has come in at the 11th hour. Mr Stanhope explained that and hopefully you can recognise the difference.

At about 8.55 on Friday morning I heard Mr Smyth talk for five minutes on the radio. Mr Smyth had rung in because a report did not mention the ACT government. It was the greatest exhibition of twisting that I have ever heard. We had Mr Smyth saying, "They are not there but they were in their last report about human resources and that taints everything, and people should know it." It was the greatest load of burbling that I have heard for quite a while.

Anyway, let me say thank you to all those who have supported this budget to date.

Question put:

That the proposed expenditure be agreed to.

The Assembly voted—

Ayes 16		Noes 1
Mr Berry	Mr Mulcahy	Dr Foskey
Mrs Burke	Ms Porter	
Mr Corbell	Mr Pratt	
Mrs Dunne	Mr Quinlan	
Ms Gallagher	Mr Seselja	
Mr Gentleman	Mr Smyth	
Mr Hargreaves	Mr Stanhope	
Ms MacDonald	Mr Stefaniak	

Question so resolved in the affirmative.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.5—ACT WorkCover, \$6,868,000 (net cost of outputs) and \$536,000 (capital injection), totalling \$7,404,000.

MR MULCAHY (Molonglo) (4.53): There are no major issues on this particular line item. It is, as members would be aware, a relatively small element within the budget framework. The issue was raised during the course of the estimates hearings as to whether inspectors were pursuing matters of minor regulation or matters related to workplace safety, and we received the assurance of WorkCover that, in fact, the matters being pursued were of a more significant nature where infringements had been issued. There was certainly nothing advanced in the course of that estimates hearing that would give us cause to presently have any doubts on the management of the budget for this agency.

There is little more to observe. It was reported that there would be savings of five per cent achieved through the conclusion of a number of projects. I believe the matters that were brought before estimates—and I reviewed the transcript last night again—appeared to satisfy all concerns that were raised.

DR FOSKEY (Molonglo) (4.55): I do not have too many problems either but I would like to take this opportunity to say that I would like to see an undertaking from ACT WorkCover that in the next year or two we will see better support for the community sector to promote work safety. While there has been substantial investment in the development of work safety practices and resources in the small business sector, the community sector has at this point largely missed out on practical assistance.

I would like an undertaking that the review of the workers compensation scheme will include attention to the recommendations of the pilot project undertaken by ACTCOSS in 2002 on work safety and insurance in the community sector and the work being

undertaken by WorkCover Authority in New South Wales on client-related violence in residential care service group homes.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.6—Department of Treasury, \$40,116,000 (net cost of outputs), \$24,950,000 (capital injection) and \$38,156,000 (payments on behalf of the territory), totalling \$103,222,000.

MR MULCAHY (Molonglo) (4.56): Obviously there are a couple of issues that I would like to address. Most of these matters were canvassed at different stages through estimates. Some were the subject of observation in the main report; some were the subject of observation in the dissenting report.

One of the matters of concern—and I am not entirely sure that the Treasurer is at major variance with my view on this because some concessions have been made—is the issue of the reported loss of \$356 million on the GFS net operating balance basis which, of course, is brought back to a loss of only \$91 million on the AAS31 operating result, achieved in the main through land sales of \$174 million and revaluation of financial assets. Obviously these matters are the subject of further ongoing review and discussion.

There was an indication, I think from the officials in the estimates hearing, that there would be examination of or ongoing talks about the method of presentation of the accounts and the accounting standards applied. Without overstating the case, I think the tenor of that advice before the committee was that there is sympathy towards a more uniform approach to the presentation of these documents across Australia. The only jurisdiction I can recall presenting their accounts in this form is Victoria. There are those—and one might say they are the purists—who believe that the method of presentation is more appropriately through the GFS net operating balance figure that I referred to earlier.

There are concerns about the reliance on land sales for annual revenue and the manner in which that comes into play in terms of the true accuracy of the bottom line of the budget. That is a matter that I simply flag as being of concern. I am not suggesting that the government is deceiving us in any way—those figures are available within the budget papers—but I have certainly had a strong view put to me that we ought to be making changes there and I will be keen to hear what further developments occur in relation to that area.

I suppose a more critical issue—and I alluded to this earlier today—is the matter of stamp duty on commercial conveyancing. I have seen persuasive information that, of all the reforms that potentially can be made by the territory government, concessions in this area would have the greatest capacity to generate economic activity within our territory and ought to have been seriously considered by the Treasurer in the course of framing this budget and in the course of the discussions he had with his colleagues in other states.

The committee has made a recommendation that the government review stamp duty on commercial conveyance in light of the GST windfall, and this has been the subject of discussion both within and outside the Assembly for many months. I do not think the level of windfall in the gross is disputed. The Treasurer rapidly seeks to suggest that the

territory is badly done by because of various other consequences—I think through the national water initiative as it related to competition payments and also through the fees from the corporate regulatory function that we have never had.

But notwithstanding that sort of political response, I urge the Treasurer to revisit the issue of stamp duty on commercial conveyances because I think he has a golden opportunity to do something that his colleagues interstate seem reluctant to do, and that is stimulate this sector of our economy with a measure of generosity. I am not sitting here anticipating that he will leap to that conclusion or embrace the suggestion but certainly it is a view supported by economists. It is regarded as an inefficient tax and it is one that ought to be revisited.

During the course of the deliberations we spoke about the Williamsdale quarry. The government was remarkably tight-lipped on this issue. We are blamed—we heard today that it is because of something that happened under the last Liberal government. I am not persuaded not to pursue matters because of things that the last Liberal government did or did not do. I am not even embarrassed. I made it very clear to the last two Liberal Chief Ministers that I will pursue matters that I believe are worthy of pursuit, irrespective of who was in power, and I intend to. The Williamsdale quarry is one on which matters were raised with me.

Mr Seselja: They refused to give answers.

MR MULCAHY: Indeed, as Mr Seselja has noted, they did refuse to give answers. The issue of the sale was only one part of a long litany of questions related to this particular exercise. There are questions related to the handling of the receivership. I think there is a duty on the part of the government to satisfy the concerns being raised and to provide a much more comprehensive answer.

We always hear the same old catchcry. Do not worry, Mr Corbell, we will hear it when we get to health. Governments in trouble can always rely on the old device of commercial-in-confidence or cabinet secrecy to bury for years things that they do not really want brought into the public domain. Dramas often occur over things that involve the management of the commercial activities of government agencies. Indeed, part of my philosophy is that governments run into enormous risks when they get into entrepreneurial activities. I really am not restrained in my criticism of any party of any persuasion. I said in my inaugural speech in this chamber that I think it is fraught with risk. There are celebrated instances on both sides of politics where gung-ho enthusiasts in the parliamentary sphere embark on business activities and leave us with a trail of debt and destruction, which has happened in a number of states of Australia.

Mr Speaker, there was some questioning in relation to Rhodium. From my perspective, the jury is still out a bit as to the appropriateness of being in the car and equipment leasing business. I commend the quality of the chairman they have appointed in Mr Samarq. I have known him obviously as something of an adversary but he is a person I have regard for as chairman of that authority.

I recently made a visit to Rhodium and listened to their point of view as to why it is an effective agency in delivering benefit for the taxpayer and the government. But it is an area in which I continue to need some settling in my own mind as to whether this is

something that the government ought to be in. There were concerns about the handling of service contracts that also became the subject of a comment in the committee's report.

In my remaining time, I will highlight the fact that the Stadiums Authority also came to our attention. I guess the issue here was determining the correct way of recognising the cost of running that facility—whether paying subsidies via various sporting teams and then having that money paid back into the stadium is really not kidding yourself in terms of robbing Peter to pay Paul, so to speak. If the facility is only commercially viable by running these re-routed subsidies to the authority, then you need to look closely at the way it is operating, simply have transparency in the accounts and acknowledge that the facility is costing X million dollars by way of loss to the taxpayer. You have to let the community at large have all the facts on which they can pass comment.

Concern was raised by Dr Foskey on a matter that neither I nor, I believe, Mr Seselja, was aware of and that is that the Canberra Stadium has some safety issues. We have now discovered that in fact they will not be rectified until 2008. This was dismissed, I must say, in a rather cavalier manner by the witness representing the authority and that did not leave any member of the committee impressed. It was subsequently revealed through a reply to a question that there were matters concerning safety. I think we are indebted to Dr Foskey for bringing this to our attention and having the foresight to pursue that matter through the course of the estimates hearings.

Those are my views on the estimates that relate to Treasury. I think the Treasurer has his work cut out in trying to encourage his colleague Mr Corbell to live within his health budget, which we will come to later. I did not gain the distinct impression that Mr Corbell is as enthusiastic about the level of constraint he will have to adhere to. But as they say in the classics, time will tell.

DR FOSKEY (Molonglo) (5.07): Mr Speaker, I want to talk about sustainability indicators. I wish to raise under this line the new reporting process for the 2005-06 budget—the new measures that were introduced in an attempt to incorporate sustainability concepts into the budget process. Firstly, I think the government needs to be congratulated for its initiative in this regard, because it is not an easy thing to do.

Quite rightly, in this year's guide to changes in the budget presentation it was pointed out that "the government will continue to develop the financial management framework to incorporate triple bottom line sustainability principles". The guide also flags two important points: firstly, these new reporting processes will continue to be discussed with stakeholders, recognising the divergent views on what constitutes sustainability; and secondly, the new indicators will form the basis for the development of cross-agency performance indicators and linkages to planning and reporting frameworks. Both of these aspects are incredibly important. Again, I hope the government continues down the path of exploring the best ways of incorporating sustainability principles into the budget process and budget papers.

The budget estimates committee recommended that the government undertake a whole-of-government review of the whole approach in a transparent and clear way. I support this and hope that it happens. It is also important, however, that we remember and remind ourselves what the original intent of the process was, and that was to incorporate sustainability concepts and principles into the budget process.

Just for the record, last year the government released as part of its formal budget papers a supplementary paper entitled *Framework for future Budget presentations—discussion paper*. The paper noted the government’s commitment to sustainability and its intent to “embed sustainability principles into government practice”. The paper stated:

It is therefore important that Budget Papers reflect sustainability principles, facilitate an understanding of the resource allocation decisions and the underlying objectives, and provide a framework of measures and targets against which progress could be measured both on an annual basis and on the longer time horizon.

Also, the paper stated that the purpose was to:

initiate a discussion and consultation process that would assist in the development of a framework to be incorporated into future Budget Papers that is relevant to the needs of the community and the key stakeholders.

It is important to remember these original intentions. I would be concerned if the focus went back to, or was limited to, “performance measures”. This is not an appropriate term to describe the incorporation of sustainability factors into the budget process.

Performance measures historically have simply been economic indicators of financial accountability. The discussion paper from last year’s budget used the term “triple bottom line”—but importantly interchangeably with “sustainability”—and noted that the intent is to broaden the scope beyond financial accountability to include social and environmental considerations. As the May 2004 supplementary budget paper also stated, it involves a “multidimensional and holistic view of human activities and their impacts”.

Importantly, also, the paper last year highlighted four principles that could underpin incorporating sustainability into the budget process. They were: broader scope and focus, transparency, accountability and integrated planning and operations. I draw attention to these just as a reminder of where we started on this process and to hopefully to keep us on track. Through the estimates process we received a range of feedback on these new indicators, both at a very specific level and more broadly, and I hope that this will all be taken into account in the future.

The particular point was made in the estimates report that the onus is on government now to embark on a broad and deliberate consultation on the incorporation of sustainability principles into the budget. This is a complex issue but there is a deal of expertise in the Canberra community that could be harnessed with the right approach.

Mr Speaker, the Treasurer constantly bemoans the fact that he received very little feedback to the paper that I have just quoted at some length. I would like the Treasurer to see the estimates process as part of the feedback. We are talking about difficult concepts here that a lot of people, including, I think, a number of ministers, have not really got their heads around. It was fairly clear that a lot of the performance indicators used in the budget vary from department to department. There is no consistency. There is no way that we, as budget readers, could have made judgments about the way the indicators were used for different departments.

This is an ongoing process. The government has another three years or so before the next election and maybe by the end of its term we might have it right. Mr Stanhope boasted today about what was being done in regard to research in grassy woodlands. I suggest that we use some of this expertise that exists in the Canberra community. Let us use some of the people studying at our universities on just these issues. Give them a project, supply a scholarship—for goodness sake, we know that students need those!—strengthen our links with the universities and set up a project that will enable us to expand and get this process right, because it is important.

MR SMYTH (Brindabella—Leader for the Opposition) (5.32): Mr Speaker, I guess that we can address under part 1.6, Department of Treasury the broad outline of what it is that the government hopes to achieve with this budget. And I guess the answer to that question is, “Not very much.”

This strikes me as almost a “why bother” budget. It is something we have to go through. It is a case of “I can’t control my colleagues’ spending but I will thump a document on the table and attempt to defend it”. But the defence we get is not very strong. I think we should be quite alarmed about the consequences for the people of the ACT, given that we are now the only jurisdiction to deliver a deficit budget in this financial year.

In responding to the budget, I would just like to take a few minutes to consider the overall approach that the government has adopted and contrast this with the approach taken by all the other jurisdictions in Australia. So let us put the ACT economy in context. We are all well aware that over the last two or three years the economies of Australia and of all states and territories have been booming. Retail sales have been strong, residential construction has been strong, commercial building has been strong and the rate of inflation has been low.

As a consequence of these strong economic conditions, the Reserve Bank has increased interest rates to seek to curb the level of activity. It is a sign from the Reserve Bank. A significant manifestation of this boom has been the strong growth in revenues flowing into federal, state and territory coffers. We in the ACT have seen the addition of hundreds of millions of dollars flood into the ACT Treasury from GST revenues and from property taxes.

More recently, there has been a moderation in the level of economic activity across Australia and in the ACT. Slightly higher interest rates have had an impact, as has the continuing drought in rural communities throughout our nation. The property boom has also subsided and there has been a general moderation in house prices.

The situation is not one of gloom and doom. Despite the states and territories having been dragged kicking and screaming to the realisation that they could abolish many of the nuisance taxes following the introduction of the GST, what we have now is a situation where we have to acknowledge that while the Australian economy is still travelling reasonably well we have to, we should, we must, adjust to our changing economic circumstances. The question is: have we? The answer in the ACT is that we certainly have not.

How have governments across Australia responded to these changed circumstances? Mr Speaker, it is interesting to note, to observe, that all governments except one have

sought to adjust to the slowdown in economic activity. They have all acknowledged the slowdown in revenue flowing into their treasuries, especially as activity in the residential property sector moderates. As a consequence, they have been more focused in their spending priorities, and that includes situations where they have particular priorities, such as improving railway infrastructure in New South Wales and the need for Queensland to completely overhaul its child protection system.

The exception to these reasonable responses to the emerging economic situation is, of course, the ACT, where doctrinaire decision-making, the inability of the Treasurer to curb his high-spending cabinet colleagues and just plain stupidity have combined to leave our territory exposed. All other jurisdictions have sought to cut their cloth to fit these new circumstances.

I expect the Treasurer will be saying to himself that here is Mr Smyth talking about things that he just does not understand. That seems to be the stock standard answer. But unfortunately for our Treasurer, the reality is somewhat different, as it usually is when we debate these matters across the chamber.

What have all other jurisdictions in Australia done with their budgets as they looked ahead to 2005-06 and beyond? They have, without exception—and I repeat, without exception—budgeted for surpluses in 2005-06. To reinforce what other governments in Australia have done, let us consider the analysis of the numbers. New South Wales in their next year's budget has a \$303 million surplus; Victoria has a \$365 million surplus; Queensland has a \$934 million surplus; Western Australia has a \$521 million surplus; South Australia has a \$51 million surplus; Tasmania—yes even Tasmania, Mr Speaker—has a \$29 million surplus; and even the Northern Territory has a surplus of \$34 million. The federal government—being the national government, it is in a slightly different situation—is budgeting for a surplus of \$7.4 billion for the 2005-06 financial year.

Every government in Australia except the ACT Stanhope government has acknowledged that prudence requires budget surpluses. But what is the ACT doing? It is budgeting for a deficit of \$91 million in 2005-06. Perhaps this is some of that majestic outlook that the Chief Minister was talking of earlier, where you have actually got to go against the trends sometimes, you have to have a vision and you have to be out there selling it. Well, wrong vision, Chief Minister. The vision that you are selling is one of economic irresponsibility and imprudent management. What is the ACT doing, Mr Speaker? It is budgeting for a deficit of \$91 million in 2005-06. What is more, the expectation is that this deficit will increase because of the influence of factors such as health spending, which has been underestimated in this budget.

How can the ACT be so out of step with other jurisdictions? I guess part of it is that the Treasurer is already in the departure lounge just waiting for the flight out of here to be called, because he cannot control his colleagues. I am told that about six weeks out from the delivery of the budget the deficit was as low as \$40 million because the Treasurer had managed to exert some control. But the ministers got panicky and had to make more promises, so in the last six weeks in the lead-up to budget day, \$91 million is the outcome.

How can the ACT budget for a deficit at a time when economic logic says that a surplus is required, and when each and every other jurisdiction in Australia has seen the need for

that logic to be followed? The answer—the simple answer—is that the budget decisions of the Stanhope government defy logic.

We heard much in the estimates about where we were going but what we did not hear was how the strategy that this government will put in place in the 2006-07 financial year will deliver a \$1 million surplus. That sounds like pie in the sky stuff. There is no strategy. The money is just going to arrive. Suddenly we are going to make an extra \$92 million and be ahead of the game. There is no indication whatsoever of financial control, an increase in revenue, a return of greater dividends, or anything that will lead to the situation where just magically over the course of the next financial year we will make up \$92 million to put us \$1 million back in the black.

As I said in my reply to the budget, the Stanhope government has failed in many ways with the decisions contained in this budget and ultimately it has failed the people of the ACT through being unable to make decisions that are appropriate for the territory at this time. My comments about the failures of this government can now be contrasted with the decisions of all other governments in Australia—seven of which are Labor governments—to respond to their circumstances. It is disappointing to record this failure.

As the opposition, we want to highlight this failing by the Stanhope government and contrast how the Liberal Party in government in the ACT would have approached the 2005-06 financial year and the future—by ensuring that we always have surplus budgets.

MR SESELJA (Molonglo) (5.23): My colleagues have covered most of it, but I did want to recap on a couple of points and make a couple of points that came out of this part of the estimates process. One was—and Mr Mulcahy touched on this before—the non-answers in relation to Williamsdale quarry. This government came to office, I believe, promising to remove the cloak of confidentiality, as they put it, from commercial dealings. That was Mr Stanhope's promise: the cloak of confidentiality would be removed and there would be open and accountable government. Yet we get a few hard questions on the Williamsdale quarry and suddenly they are hiding behind commercial-in-confidence. This is of significant concern to the opposition. It should be of concern to members of the community that this government seems to be becoming less and less accountable and less and less open in its dealings with the people of Canberra.

I commend Treasury officials for giving us a true picture of the job losses that are going to occur in the ACT public service. We asked a lot of questions in estimates of all ministers about how many job losses there would be, and we rarely got a straight answer. I think Mr Quinlan was contradicted by his officials when they confirmed for us that not only would there be 240 redundancies across the service but also there may well be additional job losses as a result of natural attrition. None of the other ministers was forthcoming and none of the other officials, I have got to say, was forthcoming. Whenever we asked the question they would say, "We don't really know; we're going to try to shift a few jobs" and "natural attrition" and all this. But Treasury officials confirmed it: 240 jobs to be lost from the ACT public service. Why? Because of the economic mismanagement of this government over the past few years. Those 240 people are paying with their jobs for the economic mismanagement of the Treasurer and this government. That is of significant concern.

I am glad that that was finally brought to light during the estimates process. No matter what Mr Hargreaves goes on about, about no-one loosing their job and all this sort of stuff, we know that there are 240 redundancies; we know that there may well be a lot more jobs lost in the public service; and it is a result of this government's mismanagement over the past few years.

I would like, though, to commend the Treasurer, Mr Quinlan, on his behaviour during the estimates process. I have got to say it was my feeling and that of my colleague Mr Mulcahy that Mr Quinlan behaved by far the best out of all his colleagues. We had Mr Hargreaves just rambling about all sorts of things, never answering questions. We had Mr Stanhope doing the same, disregarding the chair, slandering people under parliamentary privilege and refusing to acknowledge Ms MacDonald when she was trying to shut him down. We had Mr Corbell playing dumb whenever he did not like a question. "I am not quite sure I know what you mean." That was the standard answer from Mr Corbell when there was a tricky question. Ms Gallagher was dismissive of breaches of the law and blasé in relation to her statutory obligations.

I would like to take this opportunity to commend the Treasurer for his performance. He played a fairly straight bat. He even told us a joke in one of the adjournments, which got a bit of a laugh. Do not say that I never say anything nice about you, Mr Quinlan. You were the best of a pretty bad lot.

DR FOSKEY (Molonglo) (5.26): In this brief speech I want to address some of the policy issues of the Treasury part of the budget and the hearing where the Treasurer appeared. In the estimates committee hearings, the Treasurer was asked to explain claims in the budget speech that housing affordability has been improving since last year. In his reply, the Treasurer acknowledged that the indicators on which these claims were based relate only to the affordability of purchasing housing and not the affordability of renting housing. I think this is an important issue. The term "affordable housing" should be consistently applied and its meaning should encompass the full spectrum of the housing market.

There are many people who are not in a position to purchase a home, even at the more affordable end of the market. They, too, need access to affordable housing and it is time for this government to respond to those needs. The lack of investment in affordable housing is a major gap in this budget and it is important that the Treasurer's comments are put into context.

I also want to address the cost of inquiry responses. I also take issue with the Treasurer over the figures cited as funding that has been expended in response to three major inquiry reports—the Gallop inquiry into disability services, the Vardon inquiry into child protection and the McLeod report in response to the bushfires. It is my belief that the government has been very loose in the way that it calculates the costs of these responses.

For example, within the \$75.7 million purported for disability services in response to the Gallop report, an estimates committee breakdown shows that this includes spending on therapy services and transport assistance that are not relevant to recommendations made in the Gallop report. Likewise, a substantial amount of money attributed to responding to the Vardon inquiry is funding that has been spent on very expensive office fit-out and business support. That was not necessarily the intent of the inquiry recommendations.

Furthermore, the government appears to be implying that it has comprehensively responded to the inquiries. It is my belief that the government's response to the Gallop report, in particular, has been incomplete, with little progress against several major recommendations such as auditing government services, reducing the usage and turnover of casual staff and addressing issues of choice and security of tenure in supported accommodation.

Finally, I would like to address rate increases and poverty impact. I am concerned that the major revenue initiative of this budget, namely, the increase in land rates, is socially regressive and will have a relatively harsh impact on many low-income households who are not eligible for pensioner concessions. For example, in the suburbs with the highest rates, such as Ainslie, we find the highest concentrations of the elderly, many of whom are asset rich because they own their houses but income poor. At a time when the government is claiming to have a commitment to address housing affordability, this is a move in the wrong direction.

In the estimates committee I questioned the Treasurer about the extent to which any attempt was made to measure the impact that the increase in land rates would have on poverty and housing affordability in the ACT. The Treasurer indicated that pensioner concessions had been extended and that other residents had the option to defer the payment of rates. But this option is only available to pension cardholders. However, it was clear that no further analysis of the impact of this measure was undertaken. I believe that there is the potential for this to have a negative impact.

I strongly urge the government to undertake a full and proper analysis of the impact of land rate increases on low-income households that are not recipients of income support before implementing the measure. I also urge the government to fulfil its commitment in the social plan to trial a poverty proofing process based on the successful Irish model, to ensure that government decisions do not act to increase the levels or causes of poverty.

I will just explain here what poverty proofing means because there was a question that did get asked in the estimates committee process. Poverty proofing is a process by which government agencies assess policies and programs at design and review stages in relation to the likely impact they will have on poverty and on inequalities that are likely to lead poverty.

MR SMYTH (Brindabella—Leader of the Opposition) (5.32): Mr Speaker, I will make one more comment on the Treasury area. The Treasurer has also claimed that the impacts of McLeod, Vardon and Gallop have led to increased expenditure by the government. It is interesting that the Treasurer responded to a question on notice that suggests that money on the Vardon recommendations started being spent in the year 2002-03, which, of course, is a full year before the Vardon committee reported.

It leaves you with an interesting dilemma: if Vardon reported in May-June 2004 and the government, as is claimed by this answer to a question taken on notice, was spending money on Vardon and child protection in 2002-03 and 2003-04, then either the money being spent cannot be attributed to the problem or the government knew the problem before the minister claimed she was informed and was spending to fix it. That would cover Mr Corbell's time as the minister for family services as well.

I think it is interesting—and it should be on the record—that, in 2002-03, in recurrent terms, this government spent on the Vardon report an additional \$1,545,000 and then in the year 2003-04, before we got the Vardon report and were implementing the Vardon recommendations, they spent \$9,465,000 on implementing a report they had not received. If the government is going to take credit and explain away their spending by saying they were expending it on Vardon, then the minister must have known. If the minister must have known, then she should come in and correct the record; otherwise she has been misleading the house.

The problem is there. Perhaps the minister will jump up and explain to us how she was able to spend almost \$11 million on implementing the recommendations of the Vardon report before the Vardon report even appeared. It was not just over one year. I am sure it will be: “Oh, when we found out in January we did some urgent stuff on which we knew the commissioner was going to report.” It has been done over two financial years, 2002-03 and 2003-04. The ministers cannot have it both ways.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (5.34): It is mind-boggling listening to Mr Smyth trying to build straw men out of the fact that yes, we did start spending a bit of money on the matters that Vardon was looking at. It was a recognised problem, a problem that, in fact, predated this government. Somehow the Liberals seem to have put their hands over their ears and said, “La, la, la, la, la,” long enough so that nothing happened before. There was no problem with child protection until, all of a sudden, it is discovered.

What Gallop identified, what Vardon identified and what was identified in child protection were problems that predated this government, the current government. I do like the Mulcahy approach. He is quite free to criticise matters that predate his term in this place and therefore, Mr Smyth, things that you were involved in. I have got a great list, Mr Mulcahy, of a lot of ones you probably missed that were stuff-ups. You were concerned about the Williamsdale quarry and do not want to know that the whole thing was set up by your lot and we are stuck with the commercial realities.

Mr Seselja: You want to hide it.

MR QUINLAN: I would be happy for the whole world to know every last element of that.

Mr Seselja: Give it out then.

MR QUINLAN: I can't. There is an agreement between the parties to the purchase and sale of the damned thing that is commercial-in-confidence; it is between them. Unfortunately, I can't, but I would love to. Mate, we do have a great list here for you. Mr Mulcahy, if you want to come and see me some time I can give it to you. CanDeliver, we wrote off a couple of million dollars. Put that down to us. It was a total mess—and your mess—but we wrote it off. We are stuck with the Fujitsu deal, FAI, TransACT, as we discussed earlier today, even down to sports bookmaking. You had a minister who knew there was a problem with sports bookmaking and for three years did nothing. We had to fix it.

We started a hotel school, but the Liberals lived with it for six years. You want to get on to that because that has been difficult to sort out. I am sorting it out, bit by bit. The medical school at the ANU, get up us for that because we are spending money there. You promised to, your mob, but did not put it in the budget. There is quite a bit of that, a fair bit of it. In fact, the day you left government you were virtually one degree away from settling a nurses dispute. No money in the budget at all.

You have got very fertile ground. I do not know whether you are trying to undermine us or previous representatives. I am on the record: I like Brendan Smyth as the Leader of the Opposition. I am with you, mate; I will support you. We, over here, like you.

Somehow Mr Mulcahy was able to criticise the government for spending all this money that he saw on the bottom line under one set of accounts. That was the public image. "We have blown it all, as measured by accrual accounting, but really what you are doing from now on should be measured by GFS." If anybody is having it both ways, Mr Mulcahy, it is you.

I want to now move to the stamp duty on commercial conveyancing. No state or territory intends to remove that. No state or territory intends to set up an inequitable situation where private citizens pay stamp duty on conveyancing but business does not. That has been categorically stated to the federal government. Where it will go from there, I do not know.

We are aware that Costello and Howard are looking, I think, to try to destroy the intergovernmental agreement that supports the GST—the GST that Mr Costello believes he nursed in. Don't you love Meg Lees coming out and saying, "Mate, if it had been up to him, just him, it wouldn't have happened."? That is the truth of it.

Williamsdale quarry, I hope and pray that all of that does come out. If I can refer to the Stadiums Authority and the comments made there: it is quite clear what is happening there. I do not think there is anything hidden. There is support by government for the Brumbies and the Raiders. Go out there and say you do not agree with it; you are going to take it away. Can I quote you?

Mr Mulcahy: Quote me correctly.

MR QUINLAN: Do you or don't you? That is the question.

MR SPEAKER: Order! Direct your comments through the chair. I have difficulty calling the Leader of the Opposition to order if there is a conversation going on.

MR QUINLAN: But let me say, through you, Mr Speaker, that, in relation to the Stadiums Authority, this government inherited the most convoluted of deals for the operation of the stadium. You would not believe it. And it was so typical of the little surprises that were left behind when you parted company from government.

I just want to say, in relation to the triple bottom line, we will continue to work on that. But we would appreciate some feedback. Members, I think, can find the time to get their heads around it. Through you, Mr Speaker: I do think you, Dr Foskey, have got to have

a crack. The government should continue to work on it. I do not see the estimates committee report as offering much in terms of constructive suggestions in relation to that. We will work on it.

I have to say that, in one regard, I do share Mr Mulcahy's concerns in relation to GFS measurement, particularly the treatment of land sales. I understand that rating agencies are contemplating excluding land sales from their measurement altogether. The ACT is in a unique situation where we own the land. Most states and territories don't own it; so transactions take place between owners and sellers and the government is not involved. We do earn revenue—we have since self-government—from the sale of land.

If that is taken out of the sum we may have to have animated discussions to maintain our credit rating, because of the arbitrariness of the process. If it changes to exclude the land sales, which can be predicted to go on into the future, then the territory itself may have a difficulty there. I think we should recognise that that is the case.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.7—Central Financing Unit, \$214,000 (capital injection) and \$12,939,000 (payments on behalf of the territory) totalling \$13,153,000—agreed to.

Proposed expenditure—Part 1.8—Home Loan Portfolio, nil expenditure.

DR FOSKEY (Molonglo) (5.44): I want to speak briefly on this item.

Mr Quinlan: You always say that.

DR FOSKEY: I always do. ACT Shelter's budget submission called on the government to review the ACT's home loan portfolio annually rather than biannually and for available funds to be released for public and community housing in addition to the growth from capital funds. In support of this recommendation, ACT Shelter cites the KPMG recommendation that the performance of the home loan portfolio be closely monitored and that there is a potential for there to be \$2 million to \$5 million available annually for social housing stock.

I understand that the government currently proposes to review the portfolio biannually and does not appear to have reviewed this position as part of the budget process. In light of the serious undersupply of social housing, I urge the government to give serious consideration to the suggestion of an annual rather than a biannual review of the portfolio.

MR SESELJA (Molonglo) (5.45): I will speak briefly on this. Mr Quinlan can take me at my word. I want to raise a couple of issues. I am concerned that the budgeted result for the financial years 2004-05 and 2005-06 may not be delivered. We know that this government has shown a tendency to be unable to deliver on a projected outcome, generally overspent, and it is only windfall revenues that have ensured the deficiencies that this Labor Party and this Labor government have with regard to economic management have been hidden from view.

The 2003-04 operating result was a \$3.76 million deficit, despite the budget showing that a surplus of \$3.020 million was expected—a \$6.766 million difference between the expected position and the delivered result. So it is my concern that, despite budgeting for a \$2.772 million return in 2004-05, they are already showing that the return will be smaller. In 2005-06, the budget allows for a result of a \$2.784 million operating surplus.

Despite these figures, there appears to have been no allowances made for bad or doubtful debts. Despite having written off a combined total of \$9.62 million in the past two financial years, 2002-03 and 2003-04, there has been no provision for this type of debt in the forward years. This is a concern for the opposition, and I would be interested to hear what explanation the Treasurer can provide for this situation. We can only assume that the results for 2004-05 and 2005-06 will not meet the budget outcomes. If that is the case, it is the ACT community, as always, that will suffer as a result.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (5.47): Let me say that, of course, the result will depend on interest rates more than anything. So it is an estimate as opposed to financial management—

Mr Seselja: We just want it to be a good estimate.

MR QUINLAN: Give us yours. In response to the question of annual review: we do not intend to go through and do that formally every year. But let me assure you that we do a little bit of informal analysis of it, just in case there is another \$30 million lying around there that we could inject into housing, as we have done before.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.9—InTACT, \$2,341,000 (net cost of outputs) and \$5,640,000 (capital injection), totalling \$7,981,000—agreed to.

Proposed expenditure—Part 1.10—Superannuation Unit, \$125,236,000 (capital injection), totalling \$125,236,000.

MR MULCAHY (Molonglo) (5.50): There are not a lot of comments in relation to this. It is not a small amount of money, but this was an area that we explored at length in estimates. It is an issue of ongoing concern to the territory in terms of the cost of superannuation or the liabilities. It is worth remembering again Auditor-General's Report No 10 on financial audits for 2003-04.

If I could cite the highlights: there was an unqualified opinion provided to the Treasurer in relation to the Superannuation Unit on 13 September 2004. But it is worth noting that the Superannuation Unit was unable to achieve the budgeted operating result because the significant increase in superannuation expenses far outweighed the above-budget investment returns. At that time the Auditor-General noted:

There are insufficient investments set aside to meet superannuation liabilities. The ratio of investments to super liabilities has declined steadily in recent years from \$0.75 in 2001 to \$0.59 in 2004 in investments for each dollar of superannuation liabilities.

According to the Budget Papers, unfunded superannuation liabilities are expected to grow by \$121m from \$851m in 2004 to \$972m in 2007.

But to balance that view, of course, the Auditor-General does note:

As the full extent of unfunded superannuation liabilities does not have to be met for some years, there is no current threat to the Territory's finances. However, the Territory will have to fund its superannuation commitments to ensure that the current shortfall does not grow to a size that will create significant financial difficulties.

It was an area that we examined in some detail in the course of estimates. I was satisfied, on the basis of the information provided, that prudent measures are in place to deal with this issue, notwithstanding the actuarial changes that will come along as a consequence of changing life expectancy and the like. But, from the information that was available to the committee, I do not believe that this matter will become an issue of heightened concern. It is being tackled. It is recognised as an issue. For that reason, I would not be raising serious concerns at this point.

One other minor issue that I notice within the Superannuation Unit's role is that it also supports the government in the consideration of appropriate superannuation arrangements for members of the Assembly. I am of the view that it is an area that ought to be tackled. It is less of a concern to some than others. Nevertheless, we do have a fairly inadequate arrangement in the ACT. I think they have made some progress on aspects of the position of members in recent times.

The resourcing issues remain outstanding. Particularly for younger members of the Assembly entering this place, I think the issue of the superannuation arrangements is a matter of critical concern. We would not accept these arrangements in other areas of government. I think that those seeking election to office should have some comfort in the superannuation arrangements. I know there are members of the Assembly who have generated superannuation schemes from elsewhere, through government service or the like. But it is a matter that ought, at some point, receive the attention of the government and, I suggest, even you, sir.

DR FOSKEY (5.56): I want to speak briefly. Mr Mulcahy covered most of the ground that I would have covered, referring to the Auditor-General's concern. I am feeling somewhat reassured by the Treasurer's advice in the estimates hearing that the ACT government has set out to fund up to 90 per cent of our superannuation liability by 2040 and that he currently believes we should hit this target by 2023 due to the 1 July introduction of the PSS accumulation scheme.

Nonetheless, superannuation is something we should keep an eye on in the future, given the commonwealth's change from the defined benefits scheme to the accumulation scheme and the government's potential growth in superannuation liabilities in the future. And yes, I do think that members' superannuation is an issue that could be looked at, certainly for the convenience of members to have all their superannuation from one place.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (5.54): Just quickly, I want to thank members. For the record, if Mr Mulcahy is interested in the past as well: the previous Liberal government, other than taking about \$250 million out of Actew, provided precious little to the funding of superannuation liability. It has fallen to this government to do that.

We have, to some extent I think, been assisted by the change in the superannuation scheme to an accumulation scheme, as Dr Foskey mentioned. So the times have changed for people working in the public sector. The only other thing is this mention of Assembly members' superannuation and the emphasis on younger members. What about changing it properly for older member?

Proposed expenditure agreed to.

Proposed expenditure—Part 1.11—ACT Health, \$530,072,000 (net cost of outputs), \$19,964,000 (capital injection) and \$18,631,000 (payments on behalf of the territory), totalling \$568,667,000.

DR FOSKEY (Molonglo) (5.56): Second only to the failure of this government to invest in affordable housing is the failure to provide additional funding to mental health services. Despite strong representation from stakeholders, and the considerable expense that has gone into developing the ACT mental health strategy and action plan, as well as the ACT mental health promotion, prevention and early intervention plan 2004-2008, the government completely overlooked this important area of need.

I cannot see how the government can deliver on aspects of the mental health strategy within the prescribed time frames without substantial new investment in mental health. Therefore I suspect that this strategy, like many others, will lapse into irrelevance, to the disappointment of all those who gave their time to contribute to it.

I was also disappointed to find out that no funding had been allocated to implementing the recommendations of the *Pregnant pause* report from the inquiry into maternity services in the ACT. The government has had over a year to formulate a response to this report. As a result of the delay, any responses now have to wait for another budget cycle.

Another area of need that missed out in this budget was indigenous health generally and, specifically, initiatives to address illegal and problematic drug use amongst Aboriginal and Torres Strait Islander people. I acknowledge that the 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, which found there was a need for new and expanded services in the ACT to address this issue, was released just prior to the budget. I hope that perhaps it receives the attention it deserves in the future.

As I said in my initial budget reply speech, the ACT government is doing some good work in the area of Aboriginal and Torres Strait Islander health. It continues to provide support to Winnunga Nimmityjah and to the Gugan Gulwan Youth Aboriginal

Corporation. I understand that there has been progress on the initiative to establish a bush healing farm, funded in last year's budget.

Other community gaps in this budget that have been identified by community groups are in relation to palliative care and discharge planning. It is also a shame to see funding allocated for the redevelopment at Karralika return to general revenue. I believe that the initial process was flawed and that the failure to actively engage the community in the beginning has led to a situation where we now face considerable delay in addressing unmet need for drug and alcohol rehabilitation services.

Turning to the initiatives that are committed in this budget: the large investment in acute health initiatives, including the additional elective surgery capacity, equipment for hospitals, discharge lounges and pharmaceuticals, are all important. However, the rising costs of acute health should serve as a reminder of the importance of investing in health promotion and prevention strategies. I do not think that we are promoting primary health and wellbeing nearly to the extent that we could be.

There are some important community health initiatives, including the dental health program for Aboriginal and Torres Strait Islander people, the intermittent care program and the initiative that provides support for high-needs children with a disability to live at home.

I welcome the additional funding for home and community care, noting that this is matched by commonwealth finding. I would encourage the government to consider the needs of carers, particularly young carers, in distributing this additional funding. The recent report into young carers conducted by the Youth Coalition has highlighted the needs of this group and the funding allocated to support the ACT government's caring for carers policy has been relatively limited to date.

I also want to support the government in reforming community sector funding indexation, but I do not agree with the 12-month delay. We may be in a tight fiscal position this year, but I believe the government has its priorities wrong when it forces community groups to struggle with viability issues for another year while it invests substantially in recreation and leisure initiatives.

At 6.00 pm, in accordance with standing order 34, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting. The motion for the adjournment of the Assembly was put.

Adjournment

Sexual servitude

MRS DUNNE (Ginninderra) (6.01): Mr Speaker, last Saturday the federal Liberal council unanimously passed a motion to approve the way that we in Australia deal with victims of sexual servitude, which is, as we know, an abhorrent and, unhappily, growing aspect of organised crime. This crime takes many forms. It can involve would-be migrants being promised certain kinds of work but when they come to Australia being forced into prostitution. It almost invariably involves women entering into what is known as a debt contract which they pay off by having sex with as many men as their owners are prepared to force upon them. They are owned; they are slaves.

The typical working day in a brothel where someone is working in sexual servitude is usually 10 to 14 hours. They receive an allowance of perhaps a dollar or two a day. Admittedly, a more benign owner will allow them to work for themselves on their days off, but generally speaking they are de facto, though not legally, the property of the traffickers and the brothel owners. In plain language, this is bondage.

Because of the moves of the federal council of the Liberal Party about two years ago, there have been major changes in the way we deal with both victims and perpetrators in Australia since then. At all levels, governments have begun to take the problem seriously and there have been a few prosecutions. Most importantly, there has been a change in attitude towards victims. Until 2003, foreign women caught in brothels, who appeared to be victims of sexual trafficking, were just bundled off to detention centres and unceremoniously deported to their country of origin, making it impossible to get prosecutions against their traffickers. Now, if women agree to act as witnesses, they might be granted a special visa to stay in Australia while they are helping police and prosecutors with their inquiries. This is a significant change in policy.

Last year, in Canberra on International Women's Day, Australia's foremost advocate for women victims of sexual servitude, Kathleen Maltzahn, commented on the changes that had taken place over the previous 12 months. She said in part:

Another issue that I think is interesting in explaining why trafficking took off, so to speak, is the role of women from the Liberal party ... From what I understand, women members of the Liberal Party made it very clear to their party that trafficking was unacceptable and something had to be done.

I am proud to have been part of that group that really did bring about the change in 2003 to what happened in the way we deal with victims of sexual trafficking, and I am proud to have been involved in the motion last week, which was so unanimously and so warmly welcomed by the Liberal Party conference.

In dealing with the issue on the weekend, I drew attention to the quite different approach that other countries take from Australia, countries that are often facing similar or far worse problems. The most instructive case is Italy, where the policy is one of comprehensive victim protection and integration into the general community. In 2004 alone, the Italian government oversaw 69 projects to assist 8,600 women victims, at least 120 of whom were children, who entered into special social programs, training in literacy and vocational training, and with unconditional protection from the community.

Of equal if not greater interest is that this compassionate approach has gone hand in glove with an increased rate of arrests and convictions for the traffickers themselves, and several smuggling rings have been detected and broken up. As a result, it is probably not surprising that people are obviously more likely to cooperate with the authorities when they do not fear being deported. In other words, what the Italian policy demonstrates in this particular area is that what is morally right coincides with what is politically and legally effective. It is an unusual combination but one, I believe, that the Australian Liberal Party has learnt from and I hope that we will see it in action in the community.

What the ACT division asked the council to do on the weekend was to reinforce a resolution they made two years ago and adopt a similar approach to that of the Italians to victims of sexual servitude. The ACT division asked the federal council to continue to provide protection to people who are victims of sexual servitude. We reinforce the great strides that have been made by the Liberal government in dealing with women who are victims of sexual servitude. The Liberal Party convention, to my great pride, offered unconditional protection along the lines offered to those in Italy.

Women's International League for Peace and Freedom

MS GALLAGHER (Molonglo—Minister for Education and Training, Minister for Children, Youth and Family Support, Minister for Women and Minister for Industrial Relations) (6.06): I want to rise and talk about the Women's International League for Peace and Freedom which turned 90 in April this year, an outstanding achievement for any organisation. This organisation is a strong advocate for peace and freedom, existing as the oldest and largest women's peace organisation in the world.

From 28 April to 1 May 1915, some 1,300 women from 23 different countries, some at war against each other and some neutral ones, gathered at The Hague to protest the killing and destruction of the war then raging in Europe. The congress was the beginnings of the Women's International League for Peace and Freedom. In 2005, thanks to the tireless efforts of dedicated women over 90 years, WILPF is an international, non-government organisation with national sections in 40 countries covering all continents. Its international Secretariat is based in Geneva, with a UN office in New York.

In Australia, the Sisterhood for International Peace was formed on 25 March 1915. Following its first meeting, the sisterhood learned of a women's international congress. Their president attended the second congress, in May 1919, and in 1920 the sisterhood changed its name to the Women's International League for Peace and Freedom, Australian Section. With headquarters in Melbourne, branches were soon established in Hobart, Perth, Newcastle and Rockhampton. The ACT branch was formed in early 1982, shortly before hosting the national tri-annual conference.

Two thousand and five will be both a celebratory and reflective year for WILPF. As they celebrate being 90, we are reminded of those brave women who in 1915 crossed borders and boundaries to form their organisation, and we honour the women who for 90 years have carried their vision. WILPF's aim is to find ways to bring women together to create a peace-loving and just society in Australia that can influence world events.

On Monday this week, it gave me great pleasure to receive the women's global charter for humanity and solidarity on behalf of Australian women. The Australian part of its journey was organised by the Women's International League for Peace and Freedom. This charter is a proposal to build a world where exploitation, oppression, intolerance and exclusion no longer exist and where integrity, diversity and the rights and freedoms of all are respected. It contains 31 affirmations describing the principles essential to the construction of such a world. Those affirmations are based on the five values of equality, freedom, solidarity, justice and peace.

It was an honour to have the charter here in Canberra, if only spiritually as the charter went missing en route to Australia. It was only here for two nights, supposedly before it went to Japan. Hopefully, it has been found by the time we are speaking tonight. Before it got lost it had travelled many miles and through many countries to arrive in Australia since it first left Brazil in March this year. The leg of its journey from Spain to Australia was the handover from Europe to Oceania. Once it leaves Australia spiritually, the charter will continue on to Japan and other parts of Asia, then to the Middle East and finally to Africa. There has been tremendous support for the relay of this charter, with approximately 3,000 indigenous and peasant women from Paraguay gathering on the border with Argentina to watch the charter being handed over.

This week's events give us cause not only to celebrate the handover of the charter but also to acknowledge the work that all of us have undertaken to ensure that the values of equality, freedom, solidarity, justice and peace continue to be strengthened in our community. The government recognises that every member of the community has the right to participate in all aspects of life in the ACT. Equality and freedom affect the accessibility and the extent of participation in all aspects of society.

I would like to again acknowledge the work of the Women's International League for Peace and Freedom in sponsoring the charter's visit to Australia and congratulate them again on their work in reaching their 90-year milestone. There is an exhibition on the first floor that will be there for the whole of this week. I encourage members and the community to have a look and sign the visitors book.

Calwell shops

MR PRATT (Brindabella) (6.10): Mr Speaker, I rise today to right a wrong which was exercised here in the house last week during a couple of debates and to re-clarify and put the facts squarely on the record. This is in relation to Calwell shops, the motion on Wednesday and, of course, the MPI on Thursday, which heard some rather colourful statements about Calwell shops.

Firstly, last Wednesday I described, in a motion, the state of Calwell shops in terms of security matters, particularly graffiti and the amount of work undertaken and the cost of removing that graffiti. The owners of Calwell shops advised me of the situation on the Tuesday night before we spoke here on the motion about police matters. I had agreed to meet them the following Friday, that is, last Friday.

Of course the reports that I put down here about the state of Calwell shops, the level of crime, vandalism and graffiti were firmly rejected by the minister. Basically, the owners of Calwell shops and others were indeed accused of exaggerating the reality of what was occurring. The minister and Mr Gentleman basically accused them of exaggerating and perhaps embellishing the truth of what had occurred.

In fact, so concerned I think was the minister that he dispatched Mr Gentleman to Calwell shops on Thursday to take photographs. I presume the objective of taking these photographs was to discredit my statement on the previous Wednesday. Of course, the fact that I had clearly said three or four times on the Wednesday that the owners had cleaned the graffiti off in the previous weeks did not seem to matter. The important thing was to take photographs of a clean looking, repaired shopping centre and then come back

here on Thursday in the MPI and say that I must have been on drugs or, if I had not been, perhaps I should be.

Again during that MPI, Mr Gentleman repeated the assertion that the owners had perhaps got it all wrong—I, too, but of course that does not matter. I was then encouraged by Mr Gentleman to apologise to the owners and the business owners of Calwell shops for having described how bad things have been.

On the Friday visit that I eventually did go to, I spoke to the owners and a number of business owners as well. The ongoing problems indeed were even worse than the briefing that I had received on the Tuesday night. Business has been badly affected, youths are running around inside the shopping centre, on bikes, endangering particularly older people there. Around the back of the shops at night-time a lot of youths are sitting there in the dark—and some of them are as young as 14 or 15—drinking. When the butcher has to work back late at night to prepare orders, he is concerned about going out the back; it is not particularly safe, et cetera, et cetera.

Again, they stress that they do not see police. Police do not come down to that shopping centre to visit the business owners. The butcher has not seen them; the owners have not seen them; the chemist has not seen regular visits by police to see how things are going. Indeed, when I described to the owners and the business owners the pathetic stunt carried out on Thursday, with photographing and then the retelling of the story here on Thursday, they were laughing; they were rolling in the aisles, I must tell you.

I suggest that it is not I that should be apologising to the good burghers of Calwell shops; it is the minister and Mr Gentleman for: a) carrying out a pathetic politician stunt; b) asserting that the business owners are exaggerating the real concerns; and c) doing nothing to sort out the security problems and the graffiti problems at Calwell.

HECS fees

MS PORTER (Ginninderra) (6.18): Mr Speaker, I wish to use this opportunity to denounce the increase in the rate of HECS for students at the University of Canberra, as highlighted in the *Canberra Times* last week. As members would be aware, back in the early stages of 2004, the University of Canberra made the decision to take advantage of the Howard government's higher education, so-called, reforms to raise their HECS level by 20 per cent. Numerous stakeholders, including community groups, student organisations and other representatives in the education sector condemned this decision at the time.

As Mr Gentleman and others mentioned last week in this chamber, unfortunately the university has recently made the decision to increase fees by the full 25 per cent allowed under the federal government's legislation. This move puts further financial pressure on Canberra's student community and contributes to the growing number of debt-ridden students in our society.

As well as this, it further damages the competitiveness of the university on a national as well as on an international level. As was demonstrated, I believe, in the *Four Corners* program last night on ABC TV and again in the *Canberra Times* today, both the

University of Canberra and the ANU have a reliance on overseas students in order to remain viable and to make ends meet.

The direct effect of last year's increase was a 90 per cent drop of applications by prospective students to study at the University of Canberra. This is because the university simply could not compete with other universities, which resisted the opportunity to hit students with increased fees. According to a media release put out by UCSA—and I quote Jennifer Newman, president of that organisation:

This increase will make UC one of the most expensive universities in the country and comes less than 48 hours after UC announced that it would close three more courses, due to lack of interest from prospective students.

“Lack of interest” or inability to pay? I ask the question.

Another issue I wish to address is the level of consultation undertaken before coming to this decision. It seems that the decision to further hike tuition fees was made without thought for the university's community. I would like to quote Ms Jennifer Newman again:

Making the decision on the run is not acceptable, there should be open debate about the effects this will have on students and on the university.

This is yet another example of the result of the federal government's attempt to reinforce the class divide through its policy decisions. Far too many times since 1996 the direct beneficiaries of federal legislation have been the more affluent amongst us, while the battlers in the middle class of Australian society have been left out in the cold.

I cannot sit by as an elected public officeholder and watch Mr Howard, time and time again, knock hard-working Canberrans. And we all know how much he loves to knock Canberra in any case. As long as I am in this place, I will stand up for my constituents. I join with the students and the staff of the University of Canberra in expressing my opposition to this decision to increase HECS fees to students.

Maternity services

MRS BURKE (Molonglo) (6.19): Mr Speaker, it is with some sadness that I rise this evening to bring a matter of some seriousness before the house. I have been contacted today, as I think other members may have been, by the ACT Maternity Coalition.

Mr Speaker, you may recall, in the Fifth Assembly, I was a member of the Standing Committee on Health. We drew up a report in terms of maternity services in the ACT—a report that the minister would be well aware of. It was subtitled *A pregnant pause*. This report was tabled in May 2004. It is with some sadness that I note that the government response had not been tabled on 17 March 2005, when the Minister for Health said:

Mr Speaker, it is the convention that governments normally respond within three months of a report being handed down.

However, this did not seem to be forthcoming from the minister, and we are still waiting for a response. I asked that question of the minister on 17 March 2005. I made a public

statement, trying to get public debate on this, on 18 March 2005. Here we are, some three months later, still no report. This reflects badly on all of us in this place, when we do not deliver. We ought to be people of our word. Is there a division, yet again, in cabinet? Is this the problem? Can the minister not get people to agree on the recommendations?

This was an extremely important report, and the minister said it himself. He acknowledged it. He has met with people. But again we have people out there, stakeholders, people really interested in the outcomes of such an important inquiry—I know that Dr Foskey raised this issue today—it is high time that the minister provided the government response, stopped obfuscating and duck-shoving, and made sure that the people who worked really hard to contribute to the health committee way back then, all that time back then, are given the decency and courtesy of having a response to that report.

I would urge and ask the minister, through you, Mr Speaker, to really get a move on. If he has got that report, then he should seek to table the government's response this week. It would be most helpful.

Art and craft exhibition

DR FOSKEY (Molonglo) (6.21): So many stunning topics have passed, including one or two that I was going to talk about. Fortunately, I have a wealth of material to talk about, and I have decided to talk about the art and craft exhibition and sale that was held over the last weekend at the Uniting Church in Yarralumla.

The reason that I want to speak about this is that I see this as one of the many events that go on in Canberra—several of them every day; many of them every week—that provide the texture of the social amenity of this city. I want to describe the art and craft exhibition at the Uniting Church in Denman Street. They had about three large rooms filled with stuff that people have made. When I say “stuff”, that includes everything from dolls houses to knitted clothes, to knitted dolls, to paintings, to photos, to pottery, to all kinds of things, tea cosies, things that probably we last saw in our grandmothers' homes and for which, sadly, I feel, for a lot of the producers, there is perhaps less of a market than they would like.

Also at the art and craft exhibition there was a concert every day. Apparently people line up, ring up and ask to be given a gig at the concert. The day that I was there I saw a number of women's organisations, a cappella groups and the like. They sang in the church, which had really good acoustics. I can quite understand why it is that people line up to perform there.

All in all, it was an incredibly classy event, in my opinion. There was food on the Friday night. At any one time anyone who went could have bought a cup of coffee, a cup of tea, at a very low price, a cup of soup, sandwiches, cake and so on. Of course the really important thing is that all this was done by people for no pay. They seemed to enjoy it; it is incredibly well organised. People who produce the crafts pay a certain commission. They get the price and the church gets the commission. So everybody benefits from something like this. Most of all, I think the community benefits. We can have all the glitzy events in the world, we can have our big fireworks shows, our Australia Day events, but what really keeps this city alive are the little events that occur in the suburbs,

through a huge amount of work and not a lot of publicity, word of mouth, a few signs up at the intersection, and Bob's your uncle. I commend the community around the Uniting Church in Denman Street.

Industrial relations

MR GENTLEMAN (Brindabella) (6.24): Mr Speaker, I rise tonight to talk about significant events in our community—the mobilisation of union members, their families, workmates and supporters throughout our community in defence of their rights at work. Following the launch of the Unions ACT campaign last week, some 300 union activists and their families and supporters met last Sunday outside the Hyatt Hotel to protest proposed changes to industrial relations in Australia and in Canberra in particular.

The event was focused on the Liberal federal council meeting held at the Hyatt Hotel over the weekend and attended, I notice, by our Assembly opposition member Richard Mulcahy. Like two-thirds of delegates voting inside who opposed the changes to industrial relations, the 300 who gathered outside opposed these changes to industrial relations as well. I do wonder how Mr Mulcahy would have voted.

The concern of union members, their families and supporters who gathered outside about the proposed changes to industrial relations was clear. The community demands our rights at work. We have worked hard in Australia to ensure that we meet world's best practice standards for occupational health and safety. Never is this more the case than in the ACT where the Labor government has worked hard to ensure that workers in the ACT are as safe as they can be. We do not want these conditions threatened.

We want access of qualified union officials and WorkCover inspectors to sites, both white and blue collar, to ensure that our workplaces are compliant and that we are safe when we are working. We want the right to represent ourselves in bargaining, in whatever form we see fit. This includes our right to union representation and to collective bargaining. We want the right to secure employment and redress for unfair dismissal. We have worked hard to win these rights at work.

The rally on Sunday and those across the country this week demonstrate that we will not take cuts to our wages and conditions and to our job security and union representation lying down. The speakers at the rally on Sunday, which I attended, along with my Labor colleagues Senator Kate Lundy and Minister Katy Gallagher, spoke of the concerns they have for the rights of workers in industries they work in and represent.

From cleaning and construction to teaching and the public service, to childcare and community services, to retired workers and the unemployed, there is a widespread, genuine and legitimate concern about the proposed industrial relations changes. There is a concern about the impact these changes are going to have on workplaces and our rights at work.

The view of the federal government and of some businesses on this one is that workers have no right to be concerned about the future of their job security and working conditions. Workers are entitled to be concerned. Shifting the focus of industrial relations away from fairness signals that the interests of working families are being excluded from this process. It appears that even two-thirds of Liberals have been

excluded from this consultation process. This appears increasingly like an ideological rampage on industrial relations in Australia.

While working people want cooperative workplaces as much as their bosses, they will not stand for being denied their rights at work and shut out of consultation about the future of industrial relations. The future is in the relationship, and the government appears headed on a trajectory of destroying that relationship. Australian workplaces, their employers, workers and unions can be cooperative. What we need to achieve this and to achieve productivity, effective and fair workplaces is a government that listens to its constituents and works with those directly involved to achieve mutually beneficial outcomes. The community needs to be involved in this campaign because any changes to the system of industrial relations are likely to have significant impact on the community itself.

The rally on Sunday outside the Hyatt was not an isolated incident but part of the campaign in which committed community and union activists are demanding a place at the table in negotiating the future of Australian industrial relations. More events are planned, and until fairness is again a priority in industrial relations these events will continue. They will continue until community concerns for a guarantee of your rights at work are satisfied.

Question resolved in the affirmative.

The Assembly adjourned at 6.29 pm.

Schedule of amendments**Schedule 1****Appropriation Bill 2005-2006**Amendment moved by Mr Mulcahy**1****Schedule 1****Part 1.1****Page 5—***omit part 1.1, substitute*

Part 1.1					
Legislative	Legislative	5 328 000	671 000	4 300 000	10 299 000
Assembly	Assembly				
Secretariat	Secretariat				
