



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

23 August 1994

Tuesday, 23 August 1994

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MADAM SPEAKER (Ms McRae) took the chair at 2.30 pm and read the prayer.

AUTHORITY TO RECORD, BROADCAST AND PHOTOGRAPH PROCEEDINGS

MR BERRY (Manager of Government Business) (2.31): Madam Speaker, I seek leave to move a motion regarding the recording of proceedings today, Tuesday, 23 August 1994.

Leave granted.

MR BERRY: I move:

That the Assembly authorises:

- (1) the recording on videotape without sound by WIN television network of proceedings during the swearing in of a new member and question time, today, Tuesday, 23 August 1994;
- (2) the use by any television station of any part of the recorded proceedings in subsequent news, current affairs and documentary programs and not for the purposes of satire or ridicule; and
- (3) the taking of still photographs during the swearing in of a new member and question time, today, 23 August 1994, and the use of such photographs in the print media generally.

Madam Speaker, I understand that all networks are represented here today, not just the one mentioned in the motion.

Question resolved in the affirmative.

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AUTHORITY TO ADMINISTER OATH OR AFFIRMATION OF ALLEGIANCE TO MEMBERS

MADAM SPEAKER: I present, for the information of members, the authority for me, as Speaker of the Legislative Assembly for the Australian Capital Territory, to administer the oath or affirmation of allegiance to members as required by subsection 9(2) of the Australian Capital Territory (Self-Government) Act 1988.

RESIGNATION OF MEMBER

MADAM SPEAKER: Pursuant to a resolution of the Assembly of 27 March 1992, I am authorised to receive written notice of the resignation of a member. I wish to inform the Assembly that I have received a written notice of resignation from Mr Westende, dated 25 July 1994. Pursuant to subsection 13(3) of the Australian Capital Territory (Self-Government) Act 1988, I present the letter.

NOMINATION AND SELECTION OF NEW MEMBER

MADAM SPEAKER: I have received a letter from Mr Roger Dace, Acting President of the ACT Division of the Liberal Party of Australia, nominating Mr William George Stefaniak to fill the office vacated by Mr Westende and certifying that Mr Stefaniak is a member of the Liberal Party of Australia, ACT Division. I have also received a statutory declaration from Mr Stefaniak stating that he satisfies the requirements of section 67 of the Australian Capital Territory (Self-Government) Act 1988 regarding the qualifications of persons to be elected and take a seat as a member of the Legislative Assembly for the Australian Capital Territory. I present those documents.

MRS CARNELL (Leader of the Opposition) (2.33): I seek leave to move a motion regarding the choice of a new member of the Assembly.

Leave granted.

MRS CARNELL: I move:

That Mr William George Stefaniak, a person who is qualified to be elected and take a seat as a member, be chosen to fill the vacant office caused by the resignation of Mr Westende for the rest of Mr Westende's term of office.

It is with great pleasure that I present this motion today. On behalf of my colleagues, I would like to welcome Bill Stefaniak back to the ACT Legislative Assembly after an absence of 2½ years. As has already been noted by journalists who observe these proceedings, the return of "Big Bill", as he is affectionately known, is sure to add some extra colour to the business of the Assembly. Mr Stefaniak replaces Lou Westende, who resigned last month to pursue his own business interests, and, I am sure, the business interests of the Territory as well, more closely.

Madam Speaker, it would be remiss of me not to place on record my personal support and appreciation and that of the Liberal Party for the contribution made by Mr Westende during his term in this Second Assembly. Mr Westende brought more than 40 years of business and commercial experience to the Liberal Party and to the Assembly. Throughout his time in the Assembly he worked very hard to ensure that the voice of small business, retailers, manufacturers and all of those in the private sector was heard loudly and clearly in this chamber. All members would agree, I am sure, that Mr Westende had a deep commitment to putting the ACT on the map as both a tourism destination and a good place to do business. This commitment was probably reflected most clearly in his efforts to pave the way for Canberra Airport to achieve the status of an international airport.

Mr Westende's contribution to the work of Assembly committees will also be applauded by members, particularly his efforts to achieve bipartisanship on often very controversial issues. Many of the reports produced by the Tourism and ACT Promotion Committee and the Standing Committee on Conservation, Heritage and Environment reflect this desire in Mr Westende's input to those committees. Everybody on this side of the chamber and, I am sure, the chamber as a whole will miss Mr Westende's contribution. I hope that he will continue to tell us what he thinks and certainly what the business community wants for Canberra.

Bill Stefaniak, who takes over from Mr Westende and who will, from today, take over Mr Westende's portfolios of business, the environment and ethnic affairs, is no stranger to Canberrans or to the political process. In fact, he is the only member of the Assembly who was born in Canberra. He grew up in the ACT and was educated in the public school system in Canberra. He went to Red Hill Primary School, where my children go, and then on to Narrabundah High. He completed a combined arts and law degree at the ANU. No-one can doubt that Bill Stefaniak is very definitely a Canberran.

From 1976 to 1988, he worked variously as a solicitor in Muswellbrook and Canberra and as a crown prosecutor for some nine years. Elected to the First Legislative Assembly in 1989, Bill Stefaniak served as Executive Deputy in the Alliance Government and had responsibility for police and justice, sport, recreation and racing. He was also Deputy Speaker and chairman of a number of standing and select committees of the Assembly. Earlier this month, Bill was nominated to fill a casual vacancy. After a preselection ballot of all Liberal Party members, he was elected to take a seat in the Assembly.

He is a resident of Flynn and was previously endorsed as a Liberal candidate for the newly created seat of Ginninderra. I am sure that Bill will work extremely hard to represent all Canberrans, not just those in the Belconnen area, although I know that he has a particular love for his new home out in that area. His high profile in the Canberra community,

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particularly his involvement in youth issues, will enable him to represent the Liberal Party strongly in the portfolios that he takes over from today. I am sure that nobody would doubt Bill's commitment, particularly in the sports area. He is involved in a number of areas. I think it is interesting that on the day of his preselection for the Assembly the ACT schoolboys rugby team beat Wales. It was a very big day for Bill, taking into account the fact that he is patron of the ACT schoolboys rugby. I imagine that there was a good party that night.

Certainly, on behalf of all my colleagues I welcome Bill back into the Assembly. I believe that he will add a lot to this Assembly. Again, I make the comment - I note that Mr Westende is here - that we will miss Lou, but I think that Bill will give us an extra element. I welcome Mr Stefaniak as our newest MLA.

MR LAMONT (Minister for Urban Services, Minister for Housing and Community Services, Minister for Industrial Relations and Minister for Sport) (2.39): Madam Speaker, the Government, too, welcomes the nomination of Mr Stefaniak to fill the vacancy caused by the resignation of Mr Westende. Mr Westende, as a representative of the people of Canberra, I suggest, has been unique. He has been able to demonstrate a very keen understanding of the business sector in the ACT, most certainly on a range of concerns that particularly affect small business in the ACT. His advice, his humour and his basic humanity have been characteristics befitting a representative of the people of the ACT. On behalf of the Government, I extend my great appreciation to Lou for his just over 2½ years in the Assembly. I am pleased to say that, through various forums in the ACT, we will be able to keep in contact with Lou to maintain the relationship that has developed and certainly to assist in the development of small business issues within the Assembly.

In welcoming Mr Stefaniak, let me say that I am pleased that he will be able to assist his leader, as his leader called for during the preselection process, on women's affairs and other issues in the Assembly on behalf of the Liberal Party.

MR MOORE (2.41): Madam Speaker, on behalf of Ms Szuty and on my behalf, I welcome Bill Stefaniak into the Assembly. I can remember many occasions in the First Assembly when we locked horns and had differences of opinion; but it was always done in an appropriate way. In fact, I know that it has already started in a public way, even before Bill has managed to get signed in. So I look forward to that. I hope that the work that I am likely to do with Bill Stefaniak on the Conservation, Heritage and Environment Committee will be as fruitful as that with his predecessor, Mr Westende, who always took the issues before him very seriously, gave appropriate weight to the arguments put forward and then argued strongly in whichever way he believed that it was appropriate for the committee to act. I had that experience with Bill Stefaniak as well in the First Assembly on a number of committees. I am sure that he is not easily put upon. Madam Speaker, I think that Bill will add colour to the Assembly, and I look forward to working with him.

MR KAINE (2.43): Madam Speaker, I would like to speak briefly on this matter and, in the capacity of his former boss, to welcome Bill back. The relationship will be rather different now. As some members will recall, Bill was an Executive Deputy in the Alliance Government; so he brings experience and qualifications, which is a little rare. He did not actually carry the responsibilities of a Minister, in terms of accountability, but he did perform much of the work that a Minister is expected to perform; so Bill has been exposed to the business of government at a level that few people in this Assembly have been exposed to. I know that Bill will contribute greatly to the proceedings in this place, both on the floor of the house and in the committees. I do not know whether "Big Bill" is colourful or not; but he certainly brings a bit of bulk to the front row.

MR STEVENSON (2.44): It will certainly be good to have "Big Bill" back in the Assembly, and there is value in the previous experience that he has had. However, it will be sad to lose Lou Westende. Someone like Lou is fairly unusual in governments, not only in the ACT but throughout Australia, in that he understands business and has actually achieved success in the area. If there is one type of person we need in government in Australia, it is someone who understands business and can actually achieve success in the area. I wish them both well.

Question resolved in the affirmative.

OATH OF ALLEGIANCE BY MEMBER

Mr William George Stefaniak was introduced and made and subscribed the oath of allegiance required by law.

MADAM SPEAKER: Mr Stefaniak, on behalf of all members, I bid you a warm welcome.

DEATH OF MR L. CROFT

MS FOLLETT (Chief Minister and Treasurer): Madam Speaker, I move:

That the Assembly expresses its deep regret at the death of Mr Lindsay Croft, the 1992 ACT Junior Citizen of the Year, who made a significant contribution to youth issues in the Territory, and tenders its profound sympathy to his widow and his parents in their bereavement.

It is with considerable regret that I rise to move this motion of condolence. Lindsay Croft was a well-respected and highly energetic member of the ACT community. In his few short years he made many friends and colleagues - and I count myself as one of them - in politics, academia, the community sector and the Aboriginal and Torres Strait Islander communities. Lindsay Croft was particularly well known for his commitment to youth issues, volunteering a great deal of his own time to assist young people. His selfless work in helping youth was recognised in 1992, when he was named ACT Junior Citizen of the Year.

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Lindsay's commitment was shown through his involvement in over 30 different community groups and committees. This includes being the Aboriginal youth community representative on the first Chief Minister's Youth Advisory Council, time spent as both the vice-president and the president of the University of Canberra Student Association, as national co-secretary for the committee on student initiatives in community health management, as national convener of the Aboriginal and Torres Strait Islander working party formed by the National Union of Students, and as Aboriginal community adviser to the ABC Advisory Council. At the same time, Lindsay completed his science degree with majors in nursing and human biology, and a postgraduate diploma in public policy, before being awarded a Harkness scholarship to study the human rights of indigenous people at Harvard University.

Through his travels, Lindsay developed strong links with people throughout the world and acted as an ambassador for the ACT and for Australia. He was able to present his culture to others in an innovative way, transcending the barriers between people of various backgrounds. Lindsay was a deeply caring individual, and he will be fondly remembered in the hearts and minds of all who knew him. I know, Madam Speaker, that I speak for all members of the Assembly when I extend our condolences to Lindsay's family. He is survived by his wife, Ms Rebecca Stratton-Croft; his parents, Ms Dorothy Croft and Mr Joe Croft; his sister, Brenda; and his brother, Timothy.

MR KAINE: Madam Speaker, I have to say that when I met Lindsay Croft for the first time I was impressed. He was a young man who stood tall; he was intelligent; he was articulate; he was self-confident; and he seemed to be at ease in any company. Every time I saw him afterwards, those first impressions became stronger. He was clearly a young man who was comfortable with himself, who knew who he was and where he wanted to go. He was a young man who was a great credit to his family, to his people and particularly to his special friend and guide - his father, Joe. Lindsay, although not born in Canberra, was a product of Canberra. His education started at Flynn Primary School. He went on to St Francis Xavier High School, then to Daramalan, before going on to what is now the University of Canberra. So I think that we can genuinely claim him as a product of Canberra.

As a student, Lindsay very quickly established himself as a person with a strong mind, building on the characteristics that I had first seen in him. He identified the issues which he thought were important in life and he set about doing something about them. That focused on youth and it focused on his Aboriginal people. In his short life, I think he achieved a great deal. In furtherance of his ambitions in his chosen field and to broaden his life's experience, he was successful in going to the United States to study at Harvard under a Harkness scholarship - again a significant achievement for one so young.

Unfortunately, the promise that was so obvious has failed to be realised. But we cannot say that Lindsay is lost to this community. He will be remembered as an example of what young men can achieve, and I think that he will stand for a long time as a role model which other young men and young women in our community can follow. His tragic death is a grievous loss to his family, to the Aboriginal community and to the broader community of Canberra. It is with a great sense of sadness that I join with Rosemary Follett to support this motion of condolence.

MR MOORE: Madam Speaker, I rise to support this motion of condolence on behalf of Ms Szuty and me. Rather than reiterate some of the things that the Chief Minister and Mr Kaine have said about Lindsay Croft's past, I prefer to relate the last conversation that I had with him. It actually took place in Civic, beside the merry-go-round. On that occasion Lindsay was talking of his excitement at going to Harvard. He thought he would take the time to point out where I was going astray and some of the ideas he had which, if I was really clever, I could work on and develop. Some of those I have, indeed, taken up.

Madam Speaker, recalling that conversation with Lindsay Croft makes me realise not only the loss of that person to this community but, perhaps more importantly, the loss of such incredible potential that was there. I think that is one of the reasons why many of us felt such great sadness when we heard of Lindsay's death. His excitement about going to Harvard and what he wanted to achieve after that, which he shared with me in that conversation, are things that I will always recall as being special but things that, unfortunately, were not able to be delivered. Madam Speaker, it is for those reasons that we join with other members of the Assembly in extending our condolences to his family.

MRS GRASSBY: Madam Speaker, like so many people of all backgrounds who knew Lindsay Croft, I was shocked and saddened by his death in a car accident in the United States. I remember getting the phone call quite early on the morning that it happened. I just could not believe that it was true. As the Young Canberran of the Year, we in Canberra cannot afford his loss. As a national student advocate for Aboriginal and Torres Strait Islander Australians, our nation cannot afford his loss. Above all, his death is a terrible loss to his parents and to his young wife, Rebecca, whom he married only a year ago. Unfortunately, I was unable to get to the wedding; but I believe that it was a very grand affair.

I have known Lindsay since his school days in Canberra and I have followed his career at university and in public life. He was popular and he was respected by students of all backgrounds. He was the first Aboriginal Australian president of a university student association. The crowning recognition of his career was, of course, the award to Harvard University. It was typical of his concern for young people that he and Rebecca were caring for two young Aboriginal students who were also studying in the United States and who were with them at the time of the fatal accident. Rebecca returned to Australia only yesterday, with her parents. She is suffering head injuries, which will take a long time to heal, I understand. The latest news of the young Aboriginal students is that they are recovering well.

Lindsay was only 27; but he seemed to have packed more into his 27 years than some people do in a whole lifetime. In that time he had achieved much and held so much promise for the future. Central to his life and work was his pride in his Aboriginality, which he inherited from his father, Joe Croft. Joe Croft founded his immediate family in Canberra, although his people, the Gurindji, have had their home in northern Australia for 50,000 years. The Gurindji heritage was always a source of enormous pride for him. Most Australians will remember the Gurindjis' fight for their land and their eventual success, which Lindsay was very proud of. During the first seven pioneering years of the

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Office of the Commissioner for Community Relations, I got to know Joe Croft extremely well. He was a special conciliator and worked in many parts of Australia with the then commissioner. He tackled many cases of racial discrimination against all Australians. Lindsay, as a teenager, had a great example to follow, and follow it he did, to make his 27 years a life of value and inspiration. We are all proud of him, and his example will live on.

In the deep sorrow of his family and friends, I would like to record my sincere condolences and also my conviction that Lindsay will be remembered. There are already moves to commemorate his life and work through a foundation. I am sure that it will have the support of all who knew him and admired him. Certainly, it has mine now and for all time. The concept is to establish a Lindsay Croft memorial fund which has the objective of providing funds to support Aboriginal students undertaking tertiary studies with their personal expenses. Lindsay himself had this fine idea. On his marriage, he and Rebecca took out insurance, and he specified that, if anything ever happened to him, he would like the money to go to assist such a fund. It is amazing that, at the time of marriage and when they are so very happy, somebody so young can think of other people. This was the kind of person Lindsay was. I can think of no finer or more appropriate tribute to the memory of this fine young Australian. The family have not yet finalised the details; but I am sure that, when they do, Canberrans will be generous in their support.

Question resolved in the affirmative, members standing in their places.

PETITION

The Clerk: The following petition has been lodged for presentation:

By Mr Cornwell, from 63 residents, requesting that the Assembly take appropriate action to ensure the variation of lease application and the development application for block 2, section 36, Griffith are rejected; request the Committee on Planning, Development and Infrastructure to re-examine the current guidelines and Territory Plan with a view to zoning multistorey townhouse developments only within designated areas of Canberra; introduce a moratorium to stop all multidwelling proposals until the Committee on Planning, Development and Infrastructure has completed its examination; and introduce improved mechanisms for community consultation in respect of any development applications.

The terms of this petition will be recorded in *Hansard* and a copy referred to the appropriate Minister.

Multistorey Townhouse Development, Griffith

The petition read as follows:

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory:

The petition of certain residents of the ACT draw to the attention of the Assembly:

the proposed development at 13 Lefroy Street, Griffith of three two storey, three bedroom townhouse units. We are concerned because:

- . the massing of buildings in a two storey townhouse development is inconsistent with the neighbourhood and existing streetscape;
- . residents have purchased and improved property in this area because of its character and if this development application is approved, there will be a fundamental change in the character of this suburb;
- . once one multistorey townhouse development is approved, further multi storey developments will occur so that within time, the suburb of Griffith will resemble Kingston;
- . the current Guidelines and Territory Plan do not place sufficient restrictions on multi storey townhouse developments; and
- . there is no adequate or meaningful process whereby residents are involved in any consultative mechanism when their neighbourhood is being changed forever.

Your petitioners therefore request the Assembly to:

- . take appropriate action to ensure the variation of lease application and the development application for Block 2, Section 36, Griffith are rejected;
- . request the Committee on Planning, Development and Infrastructure to re-examine the current Guidelines and Territory Plan with a view to zoning multi story townhouse developments only within designated areas of Canberra;

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- . introduce a moratorium to stop all multi dwelling proposals, until the Committee on Planning, Development and Infrastructure has completed its examination; and
- . introduce improved mechanisms for community consultation in respect of any development applications.

Petition received.

QUESTIONS WITHOUT NOTICE

Government Service - Appointments

MRS CARNELL: Madam Speaker, my question without notice is directed to the Chief Minister. I refer the Chief Minister to a media release about the appointment of agency heads in the ACT Government Service that she issued at the end of 1992, which states:

The Government has adopted a fair policy that all positions will be advertised when a vacancy is to occur and a merit selection process will then follow. This policy will be applied consistently to all positions of this type where term appointments are made.

It goes on to say:

... the policy recognises that automatic advertising is in effect the only way to effectively administer a system of term appointments. It is essential the ACT community has confidence in the fact that the best practices will be followed by the Government when making appointments to these positions.

I ask the Chief Minister: Why was not this process followed when four senior executive positions in the ACT Government Service were filled in July?

MS FOLLETT: Madam Speaker, members will know that I have recently announced the appointments of a number of chief executives. They were Dr Rosalky as chief executive of the Chief Minister's Department; Ms Maureen Cane as chief executive of the Department of Public Administration and also Commissioner for Public Administration; Mr Mike Woods as chief executive of the Treasury; and Mr Greg Fraser as chief executive of the Department of Health. Those appointments, Madam Speaker, were made following on the retirement of the former Head of Administration, Mr Harris, the creation of the new Department of Public Administration, the resignation of the former CEO of Health, Ms Gillian Biscoe, and the subsequent resignation of the acting CEO of Health, Mr Ayling.

Under the public sector management legislation, those appointments of chief executive are made by the Chief Minister. The legislation does not require that there be a formal selection process. Nevertheless, there has been. Members will be well aware that those positions were advertised, with the exception of the head of Treasury, which was advertised only about a year ago. Madam Speaker, in the case of those appointments, there was a merit selection process, and that process canvassed a range of possible appointees. In the case of the Treasury appointment, there had been a process only about a year ago, and, again, it canvassed a range of possible appointees. Madam Speaker, with that information before me, I consider that the careful scrutiny that has gone on in relation to these positions has come up with the best appointments of the available people for all of those positions. The media release that Mrs Carnell refers to has been complied with. The jobs were advertised and a merit selection process was held.

This is in marked contrast, of course, to what occurred under the Liberals when they were in government, and I think they have forgotten that they ever were. Madam Speaker, the fact of the matter is that under the Liberals there was no such open process. No jobs were advertised. There was no merit selection. People were simply put into the jobs. Mr Kaine knows that this is the case. Madam Speaker, by contrast, in government, Labor has adopted an open approach. We have had a selection process, and we have made the best appointments for those positions.

Traffic Offences

MR MOORE: Madam Speaker, my question is directed to Mr Connolly as Attorney-General. Minister, are you aware that the ACT police, when issuing on-the-spot fines for traffic offences, ask the driver for their employer's name and address over and above all the information that is on their licence? Can the Minister explain why this action has been allowed to be an official part of a police officer's duty in the issuing of on-the-spot fines?

MR CONNOLLY: Madam Speaker, I was not aware that that question was asked. I was not aware that Mr Moore was interested in this. I shall make appropriate inquiries and provide an answer.

MR MOORE: I have a supplementary question, Madam Speaker. On making those inquiries, will the Minister also comment on whether he considers this an inappropriate invasion of privacy?

MR CONNOLLY: Madam Speaker, I do not want to comment on an allegation that Mr Moore seems to be making about police conduct. I will say that the general public perception of police courtesy and conduct in the ACT puts them well ahead of police forces in other States. The general run of correspondence that I see about police who happen to pull up drivers in the ACT and ask for licences draws a very favourable comparison with traffic police conduct in other parts of Australia. I had never before heard an allegation that police, as a matter of routine, were asking for the identity of the employer of a person. I shall make inquiries and report in due course.

Heart Patients

MR STEVENSON: My question is to Mr Connolly in his capacity as Health Minister. It concerns the extra costs that result from heart patients going outside Canberra for treatment. First of all, how many have there been? What is the cost of subsidising travel, and what other costs are incurred because we do not treat heart patients in Canberra?

MR CONNOLLY: I thank Mr Stevenson for his question and his courtesy in indicating that he is interested in this area. Heart surgery is something that we currently do not do in the ACT. We do it in New South Wales. I was intrigued to see Mrs Carnell making a statement yesterday demanding that we contract out health services to New South Wales; that that is the way to go. The one area of health services that we have traditionally contracted out to New South Wales, and still do contract out to New South Wales, is cardio-thoracic surgery, which is what Mrs Carnell is consistently saying we should be doing ourselves. While she wants us to not duplicate services in the ACT and contract out, in the one area where we do not do the service and contract out, she wants us not to contract out but to do the service; but that is just Mrs Carnell. Mr Stevenson asked a - - -

Mr Stevenson: I raise a point of order, Madam Speaker. We are short on time. Would the Minister be good enough to answer my question about a very important matter which is of grave concern to a lot of people in Canberra?

MR CONNOLLY: Indeed, Mr Stevenson asked a very valid question. In 1992-93 there were 131 ACT residents who went to Sydney for surgery. That is significant because the report that I believe some members have asked for and that I am able to make available indicated that the threshold for a valid cardio-thoracic unit is 300. Only 131 ACT residents went to Sydney, although some 200 New South Wales residents from the south-east - that is very broadly defined - also went to Sydney. From the ACT it was 131. The cost to the ACT under the Medicare cross-border arrangements for those 131 people was \$1.2m or thereabouts. Other associated costs, which included ambulance costs and some patient and family subsidisation to get relatives up to Sydney, came to of the order of \$110,000 for those 131. So all up, for 131 patients, it cost about \$1.31m.

Government Service - Appointments

MR KAINE: Madam Speaker, my question is to the Chief Minister. Chief Minister, on 22 March 1993, in a letter to the professional division of the Public Sector Union about selection processes at the department secretary, agency head and senior executive levels in the ACT Government Service, you said:

My government has committed itself to fairness and equity in personnel administration and so has decided to require a merit selection process for all such appointments.

Chief Minister, given that advice, why was it that in the middle of the merit selection process, when people interstate were on the point of nominating for these positions, you aborted the whole process and appointed four people, three of whom were not even applicants for the jobs, and the other appointment was to a job that had not been advertised?

MS FOLLETT: Madam Speaker, I repeat what I said in answer to Mrs Carnell, and that is that a merit selection process was held. I have no idea of what Mr Kaine is referring to in saying that I aborted the process. I did not, and that is the fact of the matter. I had selection reports presented to me and at that stage - - -

Mr Kaine: How come there were people interstate who did not get their applications in before you closed it off?

MS FOLLETT: Madam Speaker, I think Mr Kaine is in error in making that allegation. The process had been completed by the presentation to me of selection reports. As a consequence of that, an additional vacancy arose in Treasury. I reviewed the situation which we had had approximately a year before and was able to make an additional appointment to that position; but I did that, Madam Speaker, following on an initial merit selection process for the head of Treasury in the first place. So all of those positions have been subject to the very process that I have outlined in the documents quoted by both Mrs Carnell and Mr Kaine.

MR KAINE: I have a supplementary question, Madam Speaker. Can the Chief Minister tell us whether any of the appointees to these positions were actually applicants for the jobs who went through a selection interview process?

MS FOLLETT: Madam Speaker, I do not propose to go through who applied for what jobs. I believe that people applying for jobs have a right to that privacy. I reiterate what I have already said, which is that, in my view, the positions have all been filled by the best available persons to suit those particular positions. I do not propose, as I say, to intrude on people's privacy. I think Mr Kaine is in error in at least one of the statements that he has made.

ACTTAB - Pooling Agreement

MS ELLIS: Madam Speaker, my question is directed to the Deputy Chief Minister in his capacity as Minister for Sport. Why did ACTTAB link betting pools with the Victorian TAB, that is Tabcorp, and not the New South Wales TAB?

MR LAMONT: I thank my colleague for her question. Madam Speaker, this is a complex question which requires a detailed response, and I intend to give a detailed response. On 10 August 1994 ACTTAB entered into an agreement with the Victorian TAB which enabled ACTTAB to pool its bets with the Victorian superTAB pool. The pooling of bets became effective on Monday, 15 August 1994, when the privatised Tabcorp - - -

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Mr Kaine: I raise a point of order, Madam Speaker. If the Minister wants to make a three-page pre-prepared speech, why does he not do it in ministerial statements time, not question time?

MADAM SPEAKER: The Minister will continue to answer the question.

MR LAMONT: Thank you, Madam Speaker. I can understand why all of you were squirming in your seats. Madam Speaker, the new pooling agreement followed several months of detailed and complex negotiations which were necessitated after the Victorian TAB cancelled ACTTAB's access to the superpool, effective on 1 August. Over that period of negotiation the board of ACTTAB and officials of the Bureau of Sport, Recreation and Racing held extensive discussions with both the Victorian TAB and the New South Wales TAB with a view to obtaining the best deal for the Territory in relation to a new superpool link. For many years now, and particularly from the time the notice of cancellation became public, people within the racing industry have called for a link between ACTTAB and the New South Wales TAB. This view stemmed from many factors, ranging from the ACT's geographical location to perceived advantages flowing from the increased pool sizes.

Throughout the negotiation process my concern was to ensure that the future of ACTTAB and its staff was assured, and that the best possible deal was done for the benefit of the Territory, the local racing industry and ACT punters. However, the circumstances surrounding the cancellation of ACTTAB's link to the superpool were common knowledge, and it was clear that we were not negotiating from a position of strength. There was always a possibility that a link to a superpool might not be achieved, and our expectations of what might happen to ACTTAB turnover if our pools were not linked made this an outcome which could be accepted only as a last resort. It is important that I state the background to the negotiations. Having stated the background, members will have a clearer understanding of the final - - -

Mr Humphries: I take a point of order, Madam Speaker. I do not know whether you ruled on Mr Kaine's point of order before about ministerial statements under the guise of questions, but we clearly have here a multiple-page ministerial statement which should not intrude into the short time we have for questions in the Assembly each day. I would ask you to ask the Minister to answer the question succinctly, as standing orders require, or to sit down.

MADAM SPEAKER: The standing orders require that the answer be concise. On this matter, which is complicated, I believe that the answer may proceed. Continue, Mr Lamont.

MR LAMONT: It is important that I state the background to these negotiations. Having stated the background, members will have a clear understanding of the final decision to link with Victoria. Initially, negotiations with New South Wales went very well. Both the New South Wales TAB and the AJC were very receptive to our approach, and they shared our enthusiasm to cement an agreement. After the board of the New South Wales TAB had approved the principle of a pool to pool link with ACTTAB,

a draft contract was under preparation whilst negotiation by officials centred on some of the tougher clauses. Then there was a dramatic change. On Friday, 17 June 1994, Mr Downy released a media statement which was in stark contrast to the TAB to TAB negotiations which were making daily progress. Mr Downy's media - - -

Mrs Carnell: Why?

MR LAMONT: Well may you ask why, Mrs Carnell, because I intend to tell you. Mr Downy's media release said, "the door is closed to any admittance by the ACTTAB into the New South Wales pool and the ACT Government would have to put up a strong and compelling case to open it".

In another move on Friday, 15 July, which could be described only as reactionary, in a single day the commission rate of the pool link was increased by the New South Wales Minister from 0.25 per cent to one per cent of all ACTTAB bets transmitted. This would have meant a difference in costs to ACTTAB of approximately \$750,000 a year. Obviously, once enlightened advice was sought, the increase was reversed by the Minister and the rate went back to 0.25 per cent, which, incidentally, is still 25 per cent higher than the cost of the new Victorian link. In addition, on a whim, Mr Downy reduced the term of the agreement from the negotiated term of three years to 12 months. In a display of consistency, he also saw sense and revised this decision at a later date. A further example of the arrogance of the terms offered included a proposed prohibition on ACTTAB accepting cash bets from known New South Wales TAB punters. Such restrictions, if not also illegal, are impossible to manage and would seriously restrict the ability of ACTTAB to increase its future betting activity.

This staggering approach to contract negotiations was clearly driven by something other than strictly commercial imperatives which had characterised the TAB to TAB dealings. ACTTAB have expressed the view that they were not prepared to make a recommendation to me seeking approval to enter into a contract with New South Wales because of unacceptable conditions, which included a commission rate double what was being charged under the Victorian agreement at that time; a significant monetary penalty if ACTTAB terminated the agreement, for any reason, in the first year; restrictions on the establishment of new accounts; no new telephone accounts outside the ACT; a requirement to review the operations of ACTTAB with a view to the New South Wales TAB subsuming our TAB into it; and a 12-month agreement, which was later reversed and revised to a three-year agreement. Furthermore, New South Wales required additional prohibitions on other aspects of the operation and administration of racing and gaming in the Territory, including a prohibition on scheduled phantom race meetings, restrictions on bookmakers' operations, and a prohibition on the establishment of a TAB outlet in any proposed betting auditorium. Many of these prohibited activities were not controlled by ACTTAB.

By contrast, the agreement negotiated with the Victorian TAB is an equitable commercial agreement which provides both parties with appropriate rights. The agreement - - -

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Mr Moore: I raise a point of order. Madam Speaker, you have already ruled on standing order 118. I would like once again to draw your attention to paragraphs (a) and (b) of standing order 118. I believe that the Minister not only is not being concise but also is debating the matter. This is clearly, as far as I am concerned, Madam Speaker, a breach of standing orders. It is an inappropriate use of question time, and I would ask you to call on this Minister to desist.

MADAM SPEAKER: Mr Moore, thank you for bringing that to my attention. As I was listening I was beginning to think that the answer was getting rather long. I do accept that the accusation could well be made that the standing order is being breached. However, I would like the Minister to conclude his answer, in his own time, on the ground that this issue is of extreme importance. There was criticism levelled, when the motion of no confidence was put against the then Minister, Mr Berry, about the number of interjections and the difficulty that there was in interpreting what he had said in his answers to previous questions. I remember that being raised in the house. I am not setting a precedent that I will allow any Minister to read five pages to us ever again; but in this instance, on this matter, I would like the Minister to conclude his answer in his own time.

Mr Stevenson: I take a point of order, Madam Speaker. I think we would all agree that the Minister should present all the details of this matter, but he does not have to do it in answer to a question. It can be done as a ministerial statement. That is the point.

MADAM SPEAKER: I take the point, Mr Stevenson, but the standing orders require that an answer be concise. As Mr Moore pointed out to me, the definition of "concise" was being pushed a little; but this is a complex question, and "concise" can allow for 10 pages in answer to a complex question. I cannot judge that until it is complete. I have given my ruling. I have not set a precedent. I will not treat this matter as one to be taken lightly every question time. However, this is an issue that has presented the house with grave and complex questions before, and I believe that it is only proper that I allow the Minister to finish, in his own time. Proceed, Mr Lamont.

Ms Follett: On a point of order, Madam Speaker, could I just advise that I had not intended closing question time before all members had asked a question so that they can take advantage of the cameras still being here.

MADAM SPEAKER: Thank you, Chief Minister. The point has now been made. Proceed, Mr Lamont.

MR LAMONT: Thank you. I do thank you, Madam Speaker, for your forbearance. It is indeed a complex matter, Mr Moore, and it needed to have at least that much detail added to it. Madam Speaker, the Tabcorp contract provides for an initial term of three years, with a three-year option; a commission structure on a sliding scale, and significantly lower than the fee imposed by the New South Wales TAB; equivalent rights in regard to any termination of the agreement; and no termination, without cause, in the first three years.

Madam Speaker, I have taken some time, I do acknowledge, to answer this during question time. I believed that it was important that I do so at the first available opportunity when such a question was asked. I do again thank you for your forbearance, but I do believe that it is appropriate that that matter be placed on the record. In addition, Madam Speaker, officers of the bureau are following up my request to them and contact that I have made with Mr Moore, Ms Szuty, Mr Stevenson and the Opposition spokesperson. They will be receiving a briefing in relation to that matter later on, in the next couple of weeks.

MS ELLIS: Madam Speaker, I would like to ask the Minister a supplementary question. I would like to ask - - -

Mr Kaine: Do you mean that his answer was not long enough?

MS ELLIS: It is a supplementary question. I do not believe that I need to justify myself to Mr Kaine or other members, Madam Speaker, but to you. Is the Minister aware of allegations that there were other parties to the negotiations with New South Wales in relation to the pool to pool link?

MR LAMONT: Thank you for your supplementary question, Ms Ellis. Yes, I am; and yes, there were, and they were very simple. I indicated in my answer to the previous question that Mr Downy made a particular statement, and I outlined the date that that occurred. It just so happens, Madam Speaker, that the day before that happened, and some days after the Opposition were advised that discussions were commencing with New South Wales, the Leader of the Opposition contacted Mr Downy's office. It has been admitted subsequently, in radio interviews here in the Territory, that not only did she contact Mr Downy's office but she also contacted other racing Ministers' offices. Would you believe, stretching the realms of possibility to the furthest, that when there were TAB to TAB negotiations proceeding very amicably, very reasonably, following decisions of the boards of both TABs, in New South Wales and the ACT, we would suddenly get political interference in those negotiations? I am saying something very simple, Madam Speaker. In my view, there has been politically opportunistic interference in those negotiations. I believe that the coincidence of the events that I outlined in answer to the previous question substantiates my claim to that effect.

Government Service - Appointments

MR DE DOMENICO: My question without notice is directed to the Chief Minister. Is it not true that a senior left wing union official met with you, Chief Minister, in your office recently and delivered an ultimatum on the question of who would be appointed to a senior executive position within the ACT Government Service? Will the Chief Minister confirm that she was warned that if Mr Jeff Townsend was appointed to the position of Head of Administration in the ACT Government Service the Construction, Forestry, Mining and Energy Union would not give one dollar of funding to the ACT Labor Party's 1995 election campaign?

MS FOLLETT: Madam Speaker, that is completely untrue.

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MR DE DOMENICO: I have a supplementary question, Madam Speaker. Chief Minister, would the interference of a trade union, or any other external group, in the selection process of any public service appointments constitute corruption, in your opinion?

MS FOLLETT: Madam Speaker, I have said that the first part of Mr De Domenico's accusation - I will not refer to it as a question - is completely untrue. The second part, therefore, does not arise.

Fire and Emergency Services Contracts

MS SZUTY: Madam Speaker, my question without notice is to the Minister for Urban Services, Mr Lamont. I refer to *Gazette* No. 28 of 20 July 1994, which shows ACT Fire and Emergency Services contracts for Tiger Gel Extender shoes, tracksuits and professional exercise equipment with a combined value of \$89,550. Can the Minister inform the Assembly why Fire and Emergency Services are spending such a large sum of money on running shoes, tracksuits and exercise equipment?

MR LAMONT: In answer to Ms Szuty's question, I do not have that detail in front of me. I will undertake to provide her with an answer to that before close of business this day and to have the answer subsequently tabled in the Assembly.

Government Service - Appointments

MR HUMPHRIES: Madam Speaker, my question is also to the Chief Minister. Is the Chief Minister aware that, on the day after the appointment of the new head of the ACT Government Service, senior left wing union officials and Trades and Labour Council officials were heard to openly boast that they had been responsible for stopping one of the candidates from being selected? The Chief Minister has told Mr De Domenico in the Assembly that no particular union official delivered any ultimatum to her about a particular appointment. Can the Chief Minister guarantee to the Assembly that union officials did not lobby or exert any improper influence on her Ministers or her in the decision not to appoint Mr Jeff Townsend to the position of head of the ACT administration?

MS FOLLETT: Madam Speaker, I got confused as to where the gossip began and ended there. I think it started with, "Were you aware", and the answer is, "No, I was not". I think it ended up with, "Is it true or is it not true that there was undue influence on you or Ministers involved in that decision?". The answer has already been given: No, there was not.

MR HUMPHRIES: Madam Speaker, I have a supplementary question. My question was, "Did any such officials lobby or exert any improper influence on her or her Ministers in the appointment of that particular person?".

MS FOLLETT: The answer is no, Madam Speaker. I do not know how many times I have to say it. The gossip that Mr Humphries and his colleagues seem to want to give voice to and perpetuate is gossip. That is the beginning and the end of it as far as I am concerned. The decisions that were made, as I have said, were made after due process, after a process of advertising and selection. They were decisions which were the Government's to make, they were made quite properly, and they have resulted, in my opinion, in the best appointments to each of those available positions.

Madam Speaker, I think it is a great shame that the Opposition is going to continue this line. They did it before, with the appointment of Ms Cheryl Vardon as the chief executive officer of the Department of Education. They continue to try to besmirch people's character in a way that I find quite disgraceful. They have not come up with anything other than gossip on any of these occasions. It is a reprehensible way to behave. I believe, Madam Speaker, that we all ought to be doing our very best to ensure that the ACT Government Service, the new Government Service, has every opportunity to get on with its job without this political interference, without this name-calling and without this gossipmongering. If that is the way the Opposition want to play it, Madam Speaker, I think they ought to be warned that they have set the benchmark in this business. They are the ones who have continued to play the individual every time. It is not an approach that I have ever taken in this place; but, if that is to be the way of the future, I think they ought to be warned that we can play it back.

MADAM SPEAKER: Members, before the next question, I remind you of the rules for questions. Standing order 117(c) says:

Questions shall not ask Ministers:

(i) for an expression of opinion;

... ..

That is just a reminder.

Department of Health - Information Technology

MRS GRASSBY: Madam Speaker, my question is to the Minister for Health. Can the Minister advise the Assembly of any significant improvements in the department's information technology which may have occurred in recent months?

MR CONNOLLY: Madam Speaker, there have been some very significant developments in ACT Health in the period in which the Assembly has not been sitting which are consistent - - -

Mr Kaine: Yes, the waiting lists have got longer.

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MR CONNOLLY: In fact, no, they have not, Mr Kaine. If you read the document rather than your leader's silly press release you would be better informed, but I would welcome a question on that.

Madam Speaker, the Arthur Andersen report was tabled in this place earlier this year and it made the point that ACT Health had to do a lot to improve its financial management system. As a result of that and as a result of decisions made by Mr Berry some 18 months ago, we have been working on developing a casemix financial control system using a technique by the name of Trendstar. That system is now on line in Woden Valley Hospital, meaning that we actually have real time data on actual costs of patients going through the system. That, as Arthur Andersen said, is an absolute prerequisite to sound financial planning. We have still not got on top of the issue. We still had an overspend of \$4.5m, or, if we take Mrs Carnell's way of counting, \$7.5m. I will accept \$7.5m if you will accept that Mr Humphries and Mr Kaine overexpended by \$16m. I am happy to compare myself with that. The Trendstar system will give us state-of-the-art financial management control systems to use as a tool, not as a master.

Mrs Carnell is fond of issuing statements saying that casemix is the answer to everything in Health. Here is a front page of the Melbourne *Herald Sun* of a week or so ago which says, "Hospitals in bed crisis". That is what you get with casemix running your system. If you talk to any doctor about Mrs Carnell's pronouncements on casemix you will hear about this sort of *Herald Sun* headline, "Hospitals in bed crisis", or the *Age* article on page 3 last week announcing how a pain relief centre is closing down. We need to develop our pain relief centre, but at least we are moving in that direction instead of moving away from it. The pain relief centre closed down as a result of casemix, said the Melbourne *Age*. So, Madam Speaker, we are developing much better financial control techniques. They are on line; but, under Labor, casemix will be a tool and not a master.

Madam Speaker, there is another very significant development. We are starting to reap some results from some decisions made a long time ago, and Mr Berry deserves full credit for making this decision a long time ago when there was no political benefit in it because it was a very long-term exercise. We have now brought on line, Madam Speaker, a patient record system which is not just up to national standard, it is the best in Australia. It is the only on-line computerised patient record system in Australia, and one of a handful in the world. Woden Valley Hospital, as part of the hospital redevelopment project, took the opportunity to move to absolute state-of-the-art patient data management systems. If you think that is just some whiz-bang gismo, let me give you an example of what it means.

Mrs Carnell: No; it is good.

MR CONNOLLY: No other State has this, Mrs Carnell. All of them are coming to Woden and looking at what we have. What it means is this: Previously, if you were unfortunate enough to require ambulance treatment, you were taken to the hospital and to the emergency department. You were taken unconscious into the emergency ward. The treating doctor seeks to stabilise you and wants to know whether there is a patient history and whether you are allergic to a medication - a very vital piece of information.

It took at best about 15 minutes to ferret out the file from patient records in the bowels of the building and get it to emergency. Now, I am told by the director of emergency services and the director of patient records, it takes three seconds. Your name and identifying data are punched in. Straight up comes the patient records from the last time you were in hospital. This means that the treating doctor can immediately make informed decisions about medications and avoid the risk of giving improper medications. It is a very significant advance in health care. It is the best in Australia, Madam Speaker, as a result of the far-sighted decisions of this Labor Government. Again, Madam Speaker, this Labor Government is investing for the long term to develop the best public health system in Australia.

Tobacco Franchise Fee Revenue

MR STEFANIAK: Madam Speaker, my question is to the Treasurer. Can the Treasurer explain why revenue from the tobacco franchise fee increased by 20 per cent more than expected in the last financial year? Does she agree that this is an indication that, sadly, more Canberrans, particularly young people, are smoking?

MS FOLLETT: I thank Mr Stefaniak for the question, Madam Speaker. I will get him a detailed answer as quickly as I can, but I believe that the reason for the increase is to do with a timing matter in the payment of that tax. In other words, there was a large amount counted in one financial year that might, in other years, have been counted in the previous one. Madam Speaker, as I say, I will get a detailed explanation on that for the member. I do agree that it would be extremely regrettable if that were a sign of an increasing usage of tobacco in our community. It is something, as members will know, that members of this Government have tried very hard to discourage, especially through our smoking in public places legislation. We have not had the support of Mr Stefaniak's colleagues. I hope that his question indicates a change of heart.

MR STEFANIAK: I have a supplementary question, Madam Speaker. Will the Treasurer give an undertaking that this windfall of approximately \$5.3m will go towards funding new anti-smoking campaigns, with particular emphasis upon Canberra's teenagers? Specifically, will she now boost the rather pathetic funding allocated to the Health Promotion Fund, which now accounts for less than 3 per cent of tobacco taxes collected?

MS FOLLETT: Madam Speaker, this matter is dealt with in the Estimates Committee report which Ms Szuty will be tabling shortly and which I will be responding to; but the short answer is no, I will not. I do not consider that the hypothecation of a tax in that way is the best way to provide all of the services that are required in our community. In particular regard to the Health Promotion Fund, they have a process and programs are under way. They are being funded, Madam Speaker. If there were a requirement for additional programs and additional funds they would have to make that case. I do not believe that the straight-out hypothecation of the tax in the way that Mr Stefaniak has outlined is the best way to handle both the Territory's revenue and all of the needs across the whole of the community which have to be funded from that revenue.

Residential Development

MR BERRY: Madam Speaker, my question is directed to the Minister for the Environment, Land and Planning, Mr Wood. In recent days there have been some reports in the media about the issue of infill. I would like the Minister to confirm the elements of truth in those reports, what those measures are and what they are intended to achieve for the people of the ACT.

MR WOOD: Madam Speaker, there has been some debate, some comment, in the community about the pace of change in the ACT. Some members of this Assembly have switched onto that debate and I have been talking with them, as I have been to community members. I have been hearing the concerns expressed in the community about the pace of change. Therefore, I sought to find a means to accommodate those concerns, to see whether they were legitimate, to see how valid they were, and, if they were valid, what might be done about them.

Associated with that was a measure we were taking in any case. We said, when the plan came into effect, that in a year or so we would take up some of the issues on the plan and have a further look. In response to that, I announced on 19 August that there would be a strategic study of issues affecting the long-term development of Canberra. That study is to be undertaken by an eminent town planner or similar person and it will address the question of what sort of city we want for Canberra. That is a six- to nine-month study. It was one that was always proposed to run and it will, I think, engage further debate on important issues.

There were some immediate concerns and issues being raised and, in order to address those, I announced on 21 August that I will be appointing an independent expert to examine the impact of block consolidation, multi-unit development, dual occupancy, design and siting decisions, and so on. I did this after some debate, of course, with people I have met in the community, with members of the Government, with members of the Opposition and parties on the cross benches. I will get a report on issues that we might want to deal with more expeditiously, that may not await that longer-term study that has always been planned. They are two issues, I think, that confirm our commitment to the bush capital, to the amenity of our neighbourhoods, to our residential design, and to the way of life in our suburbs.

Residential Development

MR CORNWELL: I am delighted to hear the assurances from the Minister for the Environment, Land and Planning about that inquiry because I would like to refer him to the Lanyon Park estate and surrounding blocks in South Banks. The Minister will be aware that a total of 58 dual occupancies have been approved or are under construction by his department in an area that covers no more than nine streets in the suburb of Banks. Why were nine dual occupancies approved by the department on blocks, when the schedule signed by the land development branch of his department states in black and white, "One dwelling unit only is permitted on each block."? Madam Speaker, I am quite happy to table this document.

Leave granted.

MR CORNWELL: Will the Minister take full responsibility for allowing this explosion of dual occupancies to occur in a new suburb, without any real consultation with local residents? Will he also explain why his department blatantly contravened the schedule and approved what appear to be at least nine illegal dual occupancies?

MR WOOD: The inquiry that I indicated will look very rapidly at issues in Canberra will, among other things, focus on what is happening in Banks. Your questions will be examined in that context. It is certainly the case that there is a larger number of dual occupancies than expected in that area. I am aware of the papers that Mr Cornwell is tabling, and the matter is under investigation by me. I am looking into it. I will come back to Mr Cornwell on the details of my inquiries.

MR CORNWELL: Madam Speaker, I ask a supplementary question. Would the Minister, in taking that on notice, also investigate whether a similar breach of faith has occurred anywhere else in any other suburbs of Canberra under Labor's so-called planning control?

MR WOOD: Madam Speaker, I note the term "breach of faith". I will look at that and see whether there has been a change of expectations on the part of the developer or whoever else is active in that area. Mr Cornwell can be assured that it is a matter I am looking at.

Ms Follett: I ask that further questions be placed on the notice paper, Madam Speaker.

Budget Supplementation

MS FOLLETT: I would like to conclude an answer to a question asked of me by Ms Szuty on 16 June. It concerned some documents tabled in the Assembly on 12 May relating to budget supplementation. Madam Speaker, in brief, the error that was contained in those documents was in a supplementary summary table, not in any of the formal instruments that were tabled. Nevertheless, it has been corrected, and I thank Ms Szuty for drawing that to my attention. I would like to table the full answer to that and the revised documents, and I ask that they be incorporated in *Hansard*.

Leave granted.

Documents incorporated at Appendix 1.

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PERSONAL EXPLANATION

MRS CARNELL (Leader of the Opposition): Madam Speaker, I seek leave to make a personal explanation under standing order 46.

MADAM SPEAKER: Proceed, Mrs Carnell.

MRS CARNELL: Mr Lamont stated that I had spoken to the New South Wales Sports Minister prior to a press release being put out. I categorically say that I did not speak to the Sports Minister's office or to the Sports Minister prior to the press release in question coming out. I did speak to him after that, after a member of the ACT media gave me a copy of the press release, and I was told that it went out because of the arrogant way in which Mr Lamont had approached the office.

AUDITOR-GENERAL - REPORT NO. 5 OF 1994 Annual Management Report

MADAM SPEAKER: Members, I present, for your information, the Auditor-General's report No. 5 of 1994 entitled "Annual Management Report for Year Ended 30 June 1994", which includes a general report on efficiency audits, pursuant to section 68 of the Audit Act 1989.

LEGISLATION PROGRAM - SPRING 1994 Paper

MS FOLLETT (Chief Minister and Treasurer) (3.47): Madam Speaker, for the information of members, I present the Government's spring 1994 legislation program. I move:

That the Assembly takes note of the paper.

Madam Speaker, it gives me great pleasure to table the Government's legislation program for the 1994 spring sitting. The program provides an overview of the legislation proposals the Government intends to introduce into the Assembly in the second half of this year, as well as those that will be prepared for introduction at a later date.

As with past legislation programs, the Government has arranged its legislation proposals by portfolio and in a two-tier priority order. The first priority category consists of those legislative initiatives which have been accorded the highest priority for drafting by the Government. It is intended that as many as possible of these initiatives classified as first priority be introduced into the Assembly before the end of this year. Members should note that, in order to accommodate emerging issues, legislation proposals may also be

added to the program through the course of this sitting period. Similarly, the priority classification of those initiatives presently contained within the program may be subject to change, and some second priority proposals may also be introduced into the Assembly during this sitting period.

Madam Speaker, making available the Government's legislation initiatives for the forthcoming Assembly sittings is intrinsic to our commitment to open and accountable government, and this program is no exception. I trust that members and the public will find the document informative and a useful reflection of the valuable work the Government is continuing to carry out.

Question resolved in the affirmative.

SUBORDINATE LEGISLATION AND COMMENCEMENT PROVISIONS

Papers

MR BERRY (Manager of Government Business): Madam Speaker, pursuant to section 6 of the Subordinate Laws Act 1989, I present subordinate legislation in accordance with the schedule of gazettal notices for appointments, approvals, declarations, determinations, exemptions, a plan of management, regulations and Supreme Court rules. I also present notices of commencement of Acts.

The schedule read as follows:

Adoption Act -

Adoption Regulations - Determination of fees - No. 77 of 1994 (S127, dated 27 June 1994).

Determination of fees - No. 107 of 1994 (S151, dated 11 July 1994).

Animal Welfare Act - Revocation and determination of fees - No. 80 of 1994 (S129, dated 30 June 1994).

Architects Act - Determination of fees - No. 58 of 1994 (S125, dated 27 June 1994).

Associations Incorporation Act - Determination of fees - No. 74 of 1994 (S127, dated 27 June 1994).

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Bookmakers Act -

Bookmakers Regulations (Amendment) - No. 25 of 1994 (S141, dated 1 July 1994).

Determinations -

No. 48 of 1994 (S124, dated 27 June 1994).

No. 105 of 1994 (S147, dated 7 July 1994).

Boxing Control Act -

Boxing Control Regulations (Amendment) - No. 23 of 1994 (S137, dated 1 July 1994).

Determination of fees - No. 79 of 1994 (S129, dated 30 June 1994).

Building Act -

Exemption from Application of Building Code - No. 116 of 1994 (S166, dated 18 August 1994).

Revocation and determination of fees - No. 81 of 1994 (S129, dated 30 June 1994).

Building and Services Act - Determination of fees - No. 78 of 1994 (S133, dated 29 June 1994).

Building (Design and Siting) Act - Determination of fees - No. 99 of 1994 (S140, dated 30 June 1994).

Business Names Act - Determination of fees - No. 73 of 1994 (S127, dated 27 June 1994).

Casino Control Act -

Determination of Casino licence fee - No. 112 of 1994 (S157, dated 28 July 1994).

Determination of fees - No. 95 of 1994 (S132, dated 29 June 1994).

Determination of tax rate - No. 113 of 1994 (S157, dated 28 July 1994).

Cemeteries Act - Determination of fees - No. 55 of 1994 (S125, dated 27 June 1994).

Chiropractors and Osteopaths Act - Determination of fees - No. 104 of 1994 (S147, dated 7 July 1994).

Clinical Waste Act - Determination of fees - No. 64 of 1994 (S126, dated 27 June 1994).

Co-operative Societies Act - Determination of fees - No. 106 of 1994 (S147, dated 7 July 1994).

Coroners Act - Coroners Regulations - No. 28 of 1994 (S155, dated 27 July 1994).

Credit Act -

Declarations -

No. 109 of 1994 (S154, dated 20 July 1994).

No. 110 of 1994 (S154, dated 20 July 1994).

No. 114 of 1994 (S160, dated 8 August 1994).

Determination of fees - No. 70 of 1994 (S126, dated 27 June 1994).

Crown Proceedings Act - Crown Proceedings Regulations (Amendment) - No. 26 of 1994 (S144, dated 4 July 1994).

Dangerous Goods Act - Determination of fees - No. 60 of 1994 (S125, dated 27 June 1994).

Dog Control Act - Revocation and determination of fees - No. 86 of 1994 (S129, dated 30 June 1994).

Domestic Relationships Act - Notice of commencement (11 July 1994) of remaining provisions (S149, dated 11 July 1994).

Hawkers Act - Determination of fees - No. 57 of 1994 (S125, dated 27 June 1994).

Health Act - Determination of fees and charges - No. 94 of 1994 (S132, dated 29 June 1994).

Health Complaints Act - Appointment of Commissioner for Health Complaints - Instrument No. 118 of 1994 (S168, dated 19 August 1994).

Housing Assistance Act - Homebuyer Housing Assistance Program - Determination of fees - No. 44 of 1994 (S115, dated 20 June 1994).

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Instruments Act - Determination of fees - No. 75 of 1994 (S127, dated 27 June 1994).

Land (Planning and Environment) Act -

Jerrabomberra Wetlands Nature Reserve Management Plan - No. 117 of 1994 (S167, dated 18 August 1994).

Land (Planning and Environment) Regulations (Amendment) - No. 22 of 1994 (S135, dated 29 June 1994).

Revocation and determination of fees - No. 85 of 1994 (S129, dated 30 June 1994).

Liquor Act - Determination of fees - No. 67 of 1994 (S126, dated 27 June 1994).

Lotteries Act - Determination of fees - No. 49 of 1994 (S124, dated 27 June 1994).

Machinery Act - Determination of fees - No. 51 of 1994 (S124, dated 27 June 1994).

Motor Omnibus Services Act - Revocation and determination of charges - No. 47 of 1994 (S124, dated 27 June 1994).

Motor Traffic Act -

Determination of fees -

No. 52 of 1994 (S125, dated 27 June 1994).

No. 53 of 1994 (S125, dated 27 June 1994).

No. 54 of 1994 (S125, dated 27 June 1994).

No. 56 of 1994 (S125, dated 27 June 1994).

No. 63 of 1994 (S126, dated 27 June 1994).

No. 65 of 1994 (S126, dated 27 June 1994).

No. 101 of 1994 (S146, dated 7 July 1994).

Motor Traffic Regulations (Amendment) - No. 24 of 1994 (S138, dated 1 July 1994).

Motor Vehicle (Third Party Insurance) Regulations (Amendment) - No. 27 of 1994 (S148, dated 8 July 1994).

Motor Vehicles (Dimensions and Mass) Act - Determination of fees - No. 62 of 1994 (S126, dated 27 June 1994).

Nature Conservation Act - Revocation and determination of fees - No. 87 of 1994 (S129, dated 30 June 1994).

Occupational Health and Safety Act - Instruments of approval -

No. 111 of 1994 (S156, dated 27 June 1994).

No. 115 of 1994 (S165, dated 17 August 1994).

Optometrists Act - Determination of fees - No. 102 of 1994 (S147, dated 7 July 1994).

Pesticides Act - Revocation and determination of fees - No. 88 of 1994 (S129, dated 30 June 1994).

Pharmacy Act - Determination of fees - No. 103 of 1994 (S147, dated 7 July 1994).

Plumbers, Drainers and Gasfitters Board Act - Determination of fees - No. 59 of 1994 (S125, dated 27 June 1994).

Pounds Act - Revocation and determination of fees - No. 89 of 1994 (S134, dated 30 June 1994).

Prostitution Act - Determination of fees - No. 66 of 1994 (S126, dated 27 June 1994).

Public Health Act - Public Health (Cancer Reporting) Regulations - No. 19 of 1994 (S119, dated 23 June 1994).

Public Place Names Act - Determinations -

No. 45 of 1994 (S116, dated 20 June 1994).

No. 46 of 1994 (S116, dated 20 June 1994).

No. 96 of 1994 (S136, dated 30 June 1994).

No. 97 of 1994 (S136, dated 30 June 1994).

No. 98 of 1994 (S136, dated 30 June 1994).

No. 100 of 1994 (S146, dated 7 July 1994).

No. 108 of 1994 (S152, dated 12 July 1994).

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Public Sector Management Act -

Notice of commencement (1 July 1994) of remaining provisions (S142, dated 30 June 1994).

Public Sector Management Standards - No. 1 of 1994 (S143, dated 30 June 1994).

Public Sector Management (Consequential and Transitional Provisions) Act - Notice of commencement (1 July 1994) of remaining provisions except for Part 8 of Schedule 1 which shall commence on 1 January 1995 (S142, dated 30 June 1994).

Rabbit Destruction Act - Revocation and determination of fees - No. 90 of 1994 (S134, dated 30 June 1994).

Racecourses Act - Revocation and determination of fees - No. 93 of 1994 (S134, dated 30 June 1994).

Real Property Act - Determination of fees - No. 71 of 1994 (S127, dated 27 June 1994).

Registration of Births, Deaths and Marriages Act - Determination of fees - No. 72 of 1994 (S127, dated 27 June 1994).

Registration of Deeds Act - Determination of fees - No. 76 of 1994 (S127, dated 27 June 1994).

Roads and Public Places Act -

Determination of fees - No. 61 of 1994 (S125, dated 27 June 1994).

Revocation and determination of fees - No. 82 of 1994 (S129, dated 30 June 1994).

Sale of Motor Vehicles Act - Determination of fees and charges - No. 68 of 1994 (S126, dated 27 June 1994).

Scaffolding and Lifts Act - Determination of fees - No. 50 of 1994 (S124, dated 27 June 1994).

Stock Act - Revocation and determination of fees - No. 91 of 1994 (S134, dated 30 June 1994).

Supreme Court Act -

Supreme Court Rules (Amendment) - No. 20 of 1994 (S120, dated 24 June 1994).

Supreme Court Rules (Amendment) - No. 21 of 1994 (S122, dated 27 June 1994).

Surveyors Act - Revocation and determination of fees - No. 83 of 1994 (S129, dated 30 June 1994).

Trade Measurement (Administration) Act - Determination of fees and charges - No. 69 of 1994 (S126, dated 27 June 1994).

Unit Titles Act - Revocation and determination of fees - No. 84 of 1994 (S129, dated 30 June 1994).

Water Pollution Act - Revocation and determination of fees - No. 92 of 1994 (S134, dated 30 June 1994).

NEW BUSINESS DEVELOPMENT

Discussion of Matter of Public Importance

MADAM SPEAKER: I have received a letter from Mr Stevenson proposing that a matter of public importance be submitted to the Assembly for discussion, namely:

That remarkable benefits will result from supporting environmentally friendly and energy saving new business development in Canberra.

MR STEVENSON (3.50): Over the last couple of decades there has been a remarkable increase in awareness of environmental problems and challenges, not just in Canberra but throughout Australia. We have done a lot along the way towards recycling, the intelligent use of energy, and handling pollution. We recycle motor cars and oil in Canberra; there is a pre-used building supplier at Fyshwick; and we seem to do a good job with glass, aluminium and plastics. I note that there is a beverage container recycling inquiry going on at the moment, and certainly some good ideas and benefits can come from that. While I think it is fair to say that we have made some progress, we can go a lot further. The field is absolutely fascinating and has enormous potential. I personally do not believe that there is a single environmental-pollution-energy challenge we cannot meet if we get fair dinkum and tackle those people or groups that have a vested interest in keeping things as they are and not developed.

I want today to present three projects that would make a significant difference in the ACT from the economic, employment, and quality of life aspects. The first one is home grown. It is to do with a company in Canberra that recycles domestic waste. Because tip charges were introduced and then increased in Canberra, it became very expensive for the company to dump domestic waste at the tip. I suppose there is always an encouragement

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when it comes to money, but they decided that they would look at how they could recycle this material. About 90 per cent of it is green waste; it is some sort of plant material. They came up with the idea of sorting out anything that could not be recycled and mulching the rest of it. Obviously, you cannot do that with a backyard mulcher, and the cost of doing it with the existing huge industrial equipment is prohibitive. They needed a medium sized mulcher or shredder, if you like, and they have been working on developing one. They have bought a couple, which were quite expensive, and the project is going very well.

The project was first thought of a year ago, in August 1993. It is a very good idea, but there have been some problems in getting it under way. It is still, after a year, in a fledgling state. I do not want to go into the details of why they have not been able to move forward and get the necessary permits, agreements, et cetera, that are required to get it under way fully. However, I make the point that, particularly in an area such as recycling, let alone new business development in Canberra, we should be overtly looking for any project that is worth while and, when we find one, grabbing it and running with it. It should not be up to the people working on the project; we should get out there and say, "What help do you need? What about doing this? What about doing that? Let us get this up as quickly as possible".

This is one that should not take much time at all. It is not like a normal business development. It could have been done in a matter of months, and huge amounts of waste that is going into the tip could have been recycled. This could also be done by us in a general recycling situation. The idea is brilliant, but the necessary help has not been there. There have been eight applications requesting approval for a site. With one thing or another, it has not come about. Let us cut through this red tape. Let us push through ideas such as this. That is why I have brought up the matter of public importance. The potential is enormous. Let us create a mind-set, an environment, where not only Canberra businesses but businesses throughout Australia will look to Canberra as the invention, the recycling, the energy use community in Australia, the place to get such business development off the ground. It is certainly hard in Australia at present. I think we should give these people the red carpet treatment - or, in this case, the green carpet treatment. Let us make sure that this industry is up and running within weeks, or months at the outside.

I mention another phenomenally beneficial business we could have had in Canberra if we had had the forthrightness to go after it. There is a company that is recycling newspaper - and other paper can be used - and making pump-in cellular fibre newspaper insulation, chemically treated. They have been in the field for a long time. They developed a glue spray that could be sprayed over the top of the ceiling joists to hold this material in place. Over a period, because of the limited use of that blow-in insulation, they developed an insulation batt made from chopped up, recycled newspaper. The uses for this product have become widespread. It can be used as thermal panels in cold rooms and in exterior wall insulation sheeting, wall panelling and ceiling lining board. It can be used for tiles in suspended ceilings, in acoustic doors, screens and panels, and for wall infill material.

It can be used for pipe and duct insulation. There are an enormous number of building applications, all from a recycled material that at the moment in the ACT is a problem and a half. As I said, any paper materials can be used. Imagine all the shredding that goes on in this Assembly. Would not members like to see their shredded documents up on the walls, inside the ceiling and in various other places?

This company put proposals to various governments throughout Australia. Let me tell you what happened to one of those proposals. A letter to this company from the City of Berwick in Victoria, dated 22 April 1994, states:

I am pleased to advise you that Council has formally resolved to allocate up to \$350,000 of Council funds towards erecting a building complete with heat transfer equipment adjacent to the power station at the Narre Warren Regional Landfill. This building and equipment could be made available to your Company for the installation of your cellulosic fibre manufacturing plant.

The Berwick Council - and another eight councils have joined in - have started reusing all that methane gas energy coming from the dumps. They have a methane gas energy generation company operating on the tip, and very soon they will have a recycling building product company operating beside it, using the energy that comes from the dump as well as recycled materials such as newspaper and other papers. The council have said that they will be part of that and will supply that material, if necessary. They will sort it as well. They say:

As you are aware a town planning permit has been obtained for the building and preliminary discussions have taken place with Energy Developments Limited ...

That is the company that has the energy operation on site. They go on to say that the newly formed Waste Management Committee, a State Government body, has approved a grant of \$300,000 to the council toward the building and heat transfer component of this project. The council has bent over backwards. They conclude by saying:

Council looks forward to working closely with you on this exciting project and would be very keen to see the first stage of the project producing commercially marketable product by the end of 1994.

They presented the same idea to Western Australia. The Western Australian Government replied straightaway; they were very interested. The Queensland Government went even further. They said, "You can have the land. We will give you \$1m. As this money rolls in, we will pay half, up to \$1m". Exactly the same proposal was put to the ACT. Unfortunately, we let the side down. We did not reply to it. After many months I got involved and we got a reply, but it said that it was not suitable in the ACT because our dumps are not like that. Apparently there is something about how much you need and all the rest of it. Nevertheless, because paper or newspaper recycling is a problem in Canberra, is there not potential for that? Would it not be worthwhile to encourage? We could have jumped on board that proposal, and it is still not too late. I know that the company is interested in any proposals throughout Australia.

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Let me go on to a third proposal, a split cycle engine that is being developed in a technology park in Queensland. This is a new one that most people may not have heard about. It is one of the most remarkable inventions to hit the world. In America a trillion dollar project was launched recently to develop a small, lightweight, fuel efficient engine. The engine has been running in Queensland in prototype form for a couple of years, I believe. This engine is remarkable. Let me make a couple of points about it. Referring to the invention, it is said:

... he has thrown out the large, unwieldy crankshaft and replaced it with a series of Geneva wheels (shaped like starfish) rotating on an internal gear system and driving a series of small, lightweight pistons in a virtually zero-friction environment.

That means that there is very little wear and tear. Also:

... a 500cc version of his Split Cycle two-stroke is equivalent to a 6000cc conventional four-stroke. And the smaller-capacity Split Cycle engine has better power, torque, fuel-burning efficiency and smoothness.

... a 2-litre Split cycle engine would cost about \$A300 to produce - one third of conventional engines.

The engine uses low-grade fuels, which can be obtained from low-quality crops. The potential for the undeveloped world is remarkable. Bill Gates, the Microsoft founder, did not make his money by making the software but by licensing it to all and sundry, and that is the principle that is going to be used for this split cycle engine in the technology park in Queensland. That means that the technology will not be able to be stopped. It is not just for car engines; it is for any single thing that needs a motor. Let us have a look at the interest there has been in Australia and around the world. The chairman of the company is Rick Mayne. He served time for Her Majesty's Government in New Zealand for passing stolen products, but he served his time and he has gone on to do wonderful things. Sir Jack Brabham is the chairman of the company. A great deal of interest in the European licensing rights has been shown throughout the world. The ACT could get involved in this area by encouraging businesses in the ACT to develop all forms of motors. The potential is incredible. The units can be tooled with existing metals almost in a school engineering shop. You do not need to use the normal foundry methods of development for the parts for this engine.

There has been a lot of talk about energy efficiency and whatever over the years. We have done a lot in the ACT, and we are perfectly placed to produce a technology park of our own. We have the CSIRO. We have Federal Government departments. We control not just the State function but also the municipal function for the ACT. We can work directly with businesses in the ACT and turn around the economic situation. But what we need is a will. We need a goal. We need a determination that it is going to happen. We need to cut the red tape. Each of us should carry a big pair of scissors and, every time we see red tape, particularly when it involves new business development - - -

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

MR WOOD (Minister for Education and Training, Minister for the Arts and Heritage and Minister for the Environment, Land and Planning) (4.06): The Government has no opposition to the matter put by Mr Stevenson. It is eminently sensible and desirable. I believe that the Government has done all it can to meet the sentiments of this matter of public importance. For example, it was not very long ago that we made provision for a direct grant of land for recycling purposes - just one of the examples Mr Stevenson mentioned. We do not give out direct grants lightly; they have to fulfil specified conditions. Bear in mind that, when I say "direct grants", that does not mean giving something away; it means that we may deal with one industry and then sell at the valued price.

In relation to the Windjoy application, we have indicated that we will make a direct grant, such is our respect for the concept behind the proposal. Mr Stevenson said that it was first raised just a year ago. Indeed, in that year quite a deal has happened. We are closer, in respect of Windjoy, to settling all that we need to do; but it is not as simple as it might seem. Mr Stevenson said that some eight sites had been examined. I have not gone into the detail. I will accept that there were eight sites examined before finding the right site. The site that has been chosen as the best is in the Jerrabomberra area and, if we are not careful, it will feed into the river and Lake Burley Griffin. That tells us that we need to take some care with the environmental factors behind it, and that takes time. I understand that there was some cultural investigation, and it has been seen that it has some reference to Aboriginal heritage. That has been taken care of. We have to look at seepage and containment of water, and that takes time.

Once the site is settled and agreed upon, there is still a great deal of work to be done to ensure that it fits all the requirements we demand these days. It is a good thing for the environment to have recycling, but we must see that in its operation it does not do anything that would damage our environment. There are a lot of processes to work through, and we are getting through those as rapidly as we can. I understand that an application for this site, after all the pre-discussion on other sites, was made on some day in June and is now being attended to; but there are studies that still have to be done so that we can be sure that not only does it do good things environmentally but also in itself it is environmentally sound. When all that is done, we will see to it that we make that direct grant of the valued cost, and this business, which we do want to support, can get up and running. It is one of those things that are not as simple as they might appear to be.

Mr Stevenson mentioned the paper material project. It sounds fine to me. I have no background knowledge of that one, and I do not know what it is. Certainly, it is the case that we have been looking at and supporting moves for paper recycling. I think that in Wagga there is or is about to be established a newspaper recycling mill. We could perhaps have had that in Canberra. I do not think that in Wagga, as in Canberra, they would allow something to operate that would be a further pollutant. We have supported that. We have supported the concept of recycling paper, and Mr Lamont can go into a great deal of detail about recycling and the bins he will have out in the community some time this year to do that.

Mr Lamont: The Bill bin.

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MR WOOD: Not big enough for Mr Stefaniak, I do not think. They are not big bins.

Mr De Domenico: They are smaller big bins.

MR WOOD: They might fit Mr De Domenico. We support those concepts. There is a lot of difficulty with paper, and, if that system of shredding paper and using it in the form Mr Stevenson mentioned is going to work, it would be great. There is more newsprint sitting in dumps and depots around Australia than anybody can cope with, so that certainly would be useful. That has not come to my attention as providing a direct grant; but I am sure that it could well be, and maybe we could talk about that.

As for the split-cycle engine, not being a technical person I note it with interest. You might send that over and I will read about it afterwards.

Mr Stevenson: Yes, I will - to all members.

MR WOOD: It is the case that in the ACT we are keen to promote environmentally sensitive jobs or environmentally sensitive industries, if I can put inverted commas around that. We need to look to our employment base and the manner in which we grow. We want to see that our growth - I would recommend this for anywhere - is environmentally sensitive. It was for that reason that in the Treasurer's recent budget we provided \$80,000 to have a very comprehensive survey of green jobs across a whole range of areas to see where we may provide further employment that would not be damaging to our local environment.

We already do a great deal. In the institutions around Canberra, even government institutions such as ACTEW, we market our technology. We market our expertise. ACTEW is engaged in numbers of consultancies and enterprises beyond the boundaries of this Territory, and that creates jobs for ACTEW. So we are already in that. The universities and CSIRO are well into that area as well, selling our knowledge to other parts of Australia and overseas. One area where I believe we have a significant advantage is in our environment management skills. For example, it is noted around Australia that our control of water and run-off from development sites is the best there is. Occasionally in heavy rain some of the mechanisms might break, but we do have a very good system. We are intending to market our knowledge in this area even more. In our agencies we have knowledge of how to prevent pollution, how to run industries that are as pollution-free as possible, and that is something we would like to market further afield. In waste management, under Mr Lamont and, before him, Mr Connolly, so much has been done, and that is a technology we can market. It was Mr Lamont who saw to it that we were in a position to establish a course at the Institute of Technology of waste management trainer. That brings people in, and it will develop technologies we can export.

Over and above all that is the training and education we can provide in environmentally sensitive jobs. We have a great deal, both within the Government and beyond the Government in the ACT, to be able to do that. In the budget we have allocated \$80,000 for a comprehensive look at this. I note that the Federal Government has recently - dare I say it - followed in our steps; perhaps I can claim that. They are also on

the path of looking at this, and we will run a complementary process. It is interesting that Dr Joe Baker, the ACT Commissioner for the Environment, is the person the Commonwealth has asked to run that project for them. That is a great credit to Dr Baker, and we are certainly going to be able to benefit from that work of the Commonwealth. We will have instant advice, I hope, available to us.

Mr Deputy Speaker, I will take up again the issue of Windjoy, which is one of those Mr Stevenson mentioned. It is the one that has come to my attention because one of my departments is handling it, and I will encourage the department further in its efforts. I believe that they have been attending diligently to what has been a relatively complex matter, and I will see whether we can quickly secure an end result for them.

MRS CARNELL (Leader of the Opposition) (4.17): I too support the matter of public importance put forward by Mr Stevenson, as I am sure everybody in the ACT, and I suspect even in Australia, would. I think, though, that what we have to look at is the end of his proposal, which talks about new business development in Canberra. Before we can get environmentally friendly and energy saving business development, we have to get an environment in which business can develop.

I have been fascinated in my time here at the many instances - I am sure that Mr De Domenico will back me up - where companies have come to us and said, "It is just too hard. It takes too long". I think the Windjoy proposal is a good example. When I first got in touch with Mr Wood about it last year, we believed that we could do it quickly. We believed that it was possible, and I know that the Minister believed that it would be possible to get a really good business idea up and running quickly. It was not as if they wanted to set it up in central Canberra. They were looking at various sites that could not be used for much else. But even with the Minister on side, the Opposition on side, it being a good idea and it fitting into the environmentally friendly, energy saving proposals we all put forward, what happened? Twelve months later they are still not up and running.

Mr Wood: You are not going to be able to criticise me for something being in the wrong place.

MRS CARNELL: No, I am not. I am just making the comment that even a proposal that has everybody's support ends up being slowed down by bureaucratic red tape, as Mr Stevenson rightly said.

About three weeks ago, the Liberal Party put out one of those famous media releases that Mr Connolly talks about, after lots of discussion with the Canberra Inventors Association, who are looking at setting up an innovation centre in Canberra. They are after some support from government, not necessarily direct funding but getting some space at a reasonable price. What have they got? They have had some meetings, certainly; but they have absolutely no commitments. It is something they have been after for quite a long time. If in the ACT we were really keen on doing something about business, getting new people, new inventions, new business opportunities up and running, it would be organisations such as the Canberra Inventors Association that we would be helping.

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I was at their award ceremony just a couple of days ago, and they have quite a number of energy efficient and environmentally friendly inventions that have been developed in the ACT or the region. To give an idea of the level of ingenuity, I will give a run-down on one of them - a building material made of pleated benzine rings. For those who do not understand what that is, it is a six-sided structure which is pleated so that two can be put together in a large sheet. Because of the benzine ring structure, they are very strong. This product is made from recycled material. It can be packed flat, it is very light, and it can form shelters that can be stapled together. This material, invented in the ACT, could provide shelter for the many thousands of people in refugee camps in Africa and other parts of the world. My understanding is that in Africa at the moment refugee families are given a sheet of blue plastic, which really does not do much if it is raining.

Those are the sorts of things that are being invented in Canberra at the moment. When we ask why something is not happening, why we cannot get these sorts of inventions up and running, the answer is that there is too much red tape. There is no money; there is no support; there is no nothing. The ACT Government is not even willing to get behind the Inventors Association and give them some space in one of the schools that have closed or one of the other ACT Government facilities that currently have nobody in them.

Another invention to come out of the region is the Hitchmaster, an invention that won the BHP Steel 1991 Invention of the Year award. I think the gentleman who invented this came from Wagga, in our region.

Mr Lamont: He passed through Canberra once.

MRS CARNELL: He is part of the Inventors Association here. Another invention is a much safer type of power point, which has to be turned slightly when you push in the plug to engage the power. A million units have been ordered from the US. Where is it being produced? In Taiwan. Why? Because there simply was not any support in Australia. This is an invention that is coming out of our region. I think it is a tragedy, and I am sure that we would all agree.

Through my office and the offices of other people in the Opposition, we have had some people wanting to set up a particular type of tannery providing very fine leather. What happened? They gave up because it was all too difficult.

Mr Lamont: Because of the environmental issues.

MRS CARNELL: They wanted to set it up out at the tannery. That is where it happens already.

Mr Lamont: Do you know where it is?

MRS CARNELL: Wollongong. They have gone to Wollongong, where they have set up and are providing jobs. If we are going to create those thousand jobs the Chief Minister spoke about last week, when she suggested that the only way we would get the Territory's economy up and running was if business created a thousand extra jobs per year - - -

Mr De Domenico: Extra, on top of the other 4,000 they are going to create anyway.

MRS CARNELL: Extra; on top of the others. We can do that only if we can change the attitude in the ACT to something like the attitude in Queensland, Wollongong and Newcastle, where they are in the business of encouraging these people and finding ways around problems they might have, rather than creating new ones.

This is apparent when you look at investment in the ACT. The Bureau of Statistics figures are very interesting. In the March quarter this year Australia had a nearly 5 per cent increase in investment; the ACT had an 8 per cent decrease. Why is this the case? We know that the Territory is a wonderful place in which to live. Why is it not a wonderful place in which to do business? To answer that I think you have only to look at Government policy and at the Government's lack of commitment to encouraging new businesses, giving them a hand, and getting their proposals, their innovations, their inventions up and running; its lack of commitment to things that can make the ACT turn around, that can create jobs for our young people and provide a business climate where people do not think of Canberra as just a place that has the Federal Parliament, which makes laws to increase taxes and so on, but as a great place in which to do business.

We have a commitment from the Government for ecotourism. Wonderful! Let us see it get up and running. Let us see the ACT become the best place in Australia, which it easily could be, for ecotourism. We have some wonderful opportunities in that area. Why do we not look at a proposition for growing some of the native fruits that existed in this region at one time? We know that this is possible, we know that it is economically sound; but we need a government that is behind business.

MR LAMONT (Minister for Urban Services, Minister for Housing and Community Services, Minister for Industrial Relations and Minister for Sport) (4.27): I rise also to support the thrust and intent of this matter of public importance. Before coming to a range of initiatives that this Government has undertaken and collaboratively supports, along with other members of the Assembly and a range of business organisations, I need to correct a number of misapprehensions that Mrs Carnell addressed herself to. The first of those has to do with the ACT Inventors Association. The ACT Inventors Association visited my office, as the responsible Minister. After fairly considerable discussion about the types and style of services they provide and the accommodation requirements they may have, I negotiated a meeting with the Economic Development Division of the Chief Minister's Department, where we again went through the types of facilities that may be made available.

Let us dispel a few myths. The first is that there was a request at a Weston Creek Community Association meeting from a representative of the Inventors Association for access to Holder High School. I indicated at that meeting, as I have subsequently, that it would be inappropriate for the Government to give any area of the Holder High School to the Inventors Association while we were still considering the possibility of the use of that school for purposes to which the community in Weston Creek wishes us to give consideration, that is, the maintenance of the school as a type of education facility - not necessarily an operating school, but an education-related facility.

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I indicated at the meetings both to the Inventors Association and to the Weston Creek Community Association the process we have put in place to allow for the probable use of Holder High School for a continuing education purpose. We were hopeful that by the beginning of August we would have been informed by the potential user and whether or not they were successful in achieving a fairly significant national contract for that purpose. I am belatedly advised that it will probably be the end of this month before that decision is taken by the Commonwealth Government. That delay is regretted, but I believe that it is appropriate for us to hold off making a decision about community organisation participation in Holder High School until that matter has been determined. It would be of greater long-term benefit to the community and following the wishes of the Weston Creek community for us to secure those premises for that purpose.

The Inventors Association is a robust organisation and, along with other organisations in the ACT, is provided with advice and assistance out of the LEDI program. They do have offices, as I understand it, albeit insufficient to meet their total needs at the moment, provided by LEDI. I think that indicates a degree of support from that government sponsored organisation; but I acknowledge that, to allow them to expand, what they are talking about is an incubator-type facility where potentially successful inventions would be able to be bench tested, engineered and demonstrated.

It just so happens that an announcement was made by the Chief Minister in this year's budget of the expenditure of over \$3m for the creation of a park at Symonston, opposite Fyshwick. We are going through a process, the planning variations are on track, and it is expected that work for that facility will physically commence in January 1995. That will provide not only a catalyst and focal point for the advanced technology industries in the ACT that are members of the Canberra region Advanced Technology Manufacturing Association - a body of the New South Wales Chamber of Manufactures - but also an ideal location for an incubator-type facility for the types of services the Inventors Association is looking at. I think it is important that we bear that in mind when we are talking about what the Government is doing to achieve the outcomes outlined in Mr Stevenson's MPI.

Let us go on to the question of some failed applications for assistance or the provision of land in the ACT. I am not too sure whether Mrs Carnell is aware of the procedures that exist within the tanning industry and the difficulties that that industry, irrespective of where it is housed, creates. You cannot say, "There is a block of land in the noxious and odoriferous industry estate that would have been suitable", without going through a very exhaustive environmental impact assessment on what it would mean for the water catchment areas of Lake Burley Griffin, as an example, and the other creeks and rivers around that area. You need to ensure that you do not create additional long-term jeopardy to the environment for some perceived short-term gain. I suggest to Mrs Carnell that the road to hell is paved with such good intentions as the one she outlined.

Mrs Carnell: Things like jobs.

MR LAMONT: There you are. The first thing she says is, "Things like jobs". I take it from that that, irrespective of how environmentally degrading any potential business is, Mrs Carnell says, "Go ahead and do it, if it creates five jobs or three jobs or two jobs". That is the sort of illogical approach that is coming to smack of Mrs - - -

Mr Humphries: "Mrs Integrity", he was going to say.

MR LAMONT: No, "Mrs Intention", because that is all it ever is - intention and no substance. Getting back to the substance of Mr Stevenson's call for greater assistance and opportunity, I am very pleased to be the Minister responsible for EPIC, formerly called Natex, formerly called the Showground, and its initiatives to locate a permanent facility in the ACT called Ecotext. This would start off in a showplace way for environmentally sensitive and environmentally advantageous industry to display its wherewithal, to display its inventions, to display its hardware and software, but also to provide a national and international focus for such activity.

As you would appreciate, Mr Stevenson, for a number of these considerations you would need to have ongoing operation of that display. To have something there for a fortnight may not be in the interests of that business; but to be able to show that it has developed over a long period of time, and is capable of getting a long-term analysis and assessment which justifies what in a lot of cases is substantial expenditure for equipment purchases and so on, is necessary in this field. Ecotext will provide that focus, and the focus will be at EPIC. As the Minister, I have a great deal of satisfaction in supporting the board of EPIC and its chief executive, Clive Scollay, in pursuing the matter of the ongoing Ecotext exhibition. They are to be congratulated for taking that initiative.

In addition to that, we need to look at what the Government does in relation to these matters. There is probably no better example of what government agencies do than what the ACT Electricity and Water Authority are responsible for in terms of development of environmentally responsible management systems in the water and electricity areas. Suffice it to say that they are now not only nationally but also internationally regarded as one of the keenest exponents of the use and development of environmentally friendly technologies. Their engineers and executive are recognised by our own Federal Government as being at the leading edge. On a recent business delegation to Asia, the chair of ACTEW was asked to lead that part of the delegation that talked about and was there to represent Australia's interests in environmentally sustaining technologies. I think we are heading in the right direction. We can always say that we should do more, and I think matters of public importance such as this help to focus our attention on the fact that we can do more.

MR STEFANIAK (4.37): I hope that we are heading in the right direction, although some figures Mrs Carnell mentioned indicate that there is a lot of work we need to do down that track. Investment opportunities have increased by 6 per cent in the rest of Australia and decreased by 8 per cent here. As she quite correctly says, we need to do a lot more to encourage business to locate here. We have a very limited tax base, which I think this Government is finding out, as have all governments since self-government, and we need to encourage business, not discourage it.

Everyone in this Assembly, I am sure, agrees that the environment is crucial and that environmentally friendly and energy saving new businesses should be supported in Canberra. The environment is of crucial significance when looking to establish a business here. But there is, as Mr Stevenson and my colleague and leader, Mrs Carnell, have said,

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a lot of red tape that is quite detrimental to setting up business in Canberra. I do not know that we need to carry around a pair of scissors to cut it, but certainly it behoves the Government to do what it can to reduce the red tape that is detrimental to business.

Mr Lamont and my leader talked about ideas and innovations from overseas. During my 2½-year absence from this place, I took a dragon boat team to China, and one of my colleagues was the delegate to Dragon Boats International, who did some work for the New South Wales-Chinese Chamber of Commerce. We were in Tianjin, a port city about 100 kilometres from Beijing and one of the three economic zones in China. I was speaking to some Chinese business people in relation to how long it took to get the necessary planning approval to set up a business there. I was told, "Quite a while; about three weeks", to which my response was, "Comrades, in Australia we are far more bureaucratic than you. If you tried that in the ACT, it would take you 12 to 18 months". It may be the Chinese, and they are indeed a communist state, Mr Lamont, but they seem to have a lot more business acumen than we show at times.

Mr Kaine: The trouble is that our Government is further to the left than they are.

MR STEFANIAK: It may well be, Mr Kaine. I am certainly not advocating any compromise in relation to environmental provisions. China, in its early attempts to industrialise some rather ridiculous sites, with concrete factories placed next to pagodas and mountain streams, produced some very bad effects. But certainly we can learn a lot from the active encouragement they give to business.

Mr Stevenson spoke about the business run by the Ballards, Tom's Trash Packs. That is an environmentally friendly and energy saving new business development, and a rather exciting one for Canberra. As my leader has said, new businesses create jobs, especially for those people in Canberra who have trouble getting jobs and who form a very large jobless pool - our young. That particular business, which is totally environmentally friendly, I understand, would create up to eight new jobs, largely for young people. That type of business should be actively supported rather than having a lot of impediments put in its way.

My understanding, having spoken briefly to the proponents, is that they have been given the run-around for about 12 months. I do not think they particularly care where their site is; they just need a site. Their business, surely, is one of those environmentally friendly businesses that should be encouraged. As I think Mr Stevenson indicated, it involves mulching. Basically, it is a full recycling circle. Garden waste is picked up, mulched, and turned back to consumers, to Canberra residents, without the need for it to go to the tip. Maybe the Government is very keen to get tip revenue; but I think that defeats the purpose of recycling, and it certainly defeats the purpose of supporting the environment in Canberra. Our tips have a finite life. The Belconnen tip, several kilometres from where I live, will cease to be operative by about the year 2000, on current trends.

Mr Moore: Where do you live now?

MR STEFANIAK: Flynn, and that is very close to the Belconnen tip, Mr Moore. No doubt you use the Ainslie recycling station, but I use the Belconnen tip. That tip has only five or six years of use left, and that is something that needs to be addressed now. It is a very real environmental problem for Canberra. We do have finite tip space. Measures such as those mentioned by Mr Stevenson, which would mean less use of our tip space and jobs for Canberrans, especially young Canberrans, are initiatives worthy of support. My colleague Mrs Carnell has mentioned a number of other initiatives that have run up against a brick wall when they have come up for support.

If we are fair dinkum about assisting business in Canberra and diversifying our economic base - and we have only a limited one - then sensible proposals need the support of bureaucrats. They need the support of governments. Standards have to be adhered to, of course. Mr Stevenson's matter of public importance is very much along the right track, and everyone should do all they can to support especially environmentally friendly and energy saving new business development in Canberra.

MR MOORE (4.43): Madam Speaker, it is interesting to hear members support this matter of public importance Mr Stevenson has put, because it is a motherhood statement. How could you do anything else? In considering these issues, it is very important for us to remember the basis upon which we should deal with environmental issues involved with polluting, and that is the three Rs: Reduce, reuse, recycle.

There is a great temptation for members and for the public to focus on recycling. Recycling does play an important role, but there are two steps we should take before we get to recycling. The Conservation, Heritage and Environment Committee will later this week describe what it is doing in terms of container deposit legislation, when we report to the Assembly on that issue. The reduction of polluting materials is the highest priority we have to deal with. Then we go to reuse, which is the matter Mr Stevenson spoke on in relation to one firm in Canberra and some of the difficulties they have had. Indeed, I understand that that firm has lobbied all members, and it should expect a reasonable approach from government.

Mr Stevenson's matter of public importance also deals with energy saving as part of new business development in Canberra. The issue of insulation in housing is one that I raised in this Assembly, and I proposed legislation to ensure that there is insulation not just in ceilings of houses but also in walls, floors and so on. The Minister's response was, under regulation, to provide for compulsory insulation in areas that were difficult to get to but not in ceilings. I maintain my position that it is appropriate that we insist on insulation in ceilings in new houses. It takes only a particularly cold winter, such as the one we have had this year, to recoup the cost of that insulation. On financial grounds alone, insulation would repay you; but if you are looking at it from the environmental perspective, and that is our highest priority, we can reduce the amount of pollution by ensuring that all new houses, in fact all houses, are insulated.

Mr Stevenson also added to this whole concept of new business development. It is appropriate to pay compliments where they are due, and I think both the Alliance Government and this Labor Government have been responsible for supporting the way Revolve deals with both tips in Canberra. Mr Stefaniak said that I probably go to the Ainslie Transfer Station. I rarely go to the tip; but, having reused a second-hand

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kitchen, Mr Stefaniak, I finally had to assess whether it was able to be recycled when I took it out to the Mugga Lane tip on the weekend. It was not able to be recycled; it was past that stage, although we still have parts of it that we hope to be able to put into the recycling system, for example, the stainless steel double-bowl sink and so forth. If you need one at your house, Mr Stefaniak, I can always do a good deal for you on that. In that whole Revolve process there are about 20 jobs that continue to assist Canberra as far as business goes, and I think that is an important issue.

The Conservation, Heritage and Environment Committee has also done a substantial amount of work on solar energy and cogeneration of electricity as part of its attempt to reduce pollution and ensure that houses are built in a solar passive way so that there can be a reduction in the amount of power used. I think Mr Stefaniak was on the original committee when we dealt with that issue and brought down a discussion paper in 1992. Those are the sorts of issues we could deal with in terms of ensuring new business development in Canberra.

I will draw attention to one other issue that Mr Stevenson drew to our attention some time ago - growing and using hemp, low THC marijuana, or cannabis, instead of trees. There is growing evidence that to make paper from our old-term forests, we need about three times the acreage we would need if we were growing hemp to make that paper. For those people who are concerned about the THC side of it - the active ingredient in cannabis for smoking, which is another argument entirely - there are available now genetically engineered forms of hemp that have very low THC; so that simply is not a major concern. In fact, the ACT could lead Australia by making available some land for further experimentation in that way.

MADAM SPEAKER: The time for the debate has now expired.

PUBLIC SECTOR - STANDING COMMITTEE

Membership

MADAM SPEAKER: Pursuant to the resolution of the Assembly of 16 June 1994, I have been notified in writing of the nominations of Mr Berry, Mrs Carnell and Ms Szuty to be members of the Standing Committee on the Public Sector.

Motion (by Ms Follett) agreed to:

That the Members so nominated be appointed as members of the Standing Committee on the Public Sector.

PAPER

MADAM SPEAKER: Members, I table, for your information, a study trip report I have received from Mr Greg Cornwell.

**CONSERVATION, HERITAGE AND ENVIRONMENT AND TOURISM
AND A.C.T. PROMOTION - STANDING COMMITTEES**

Membership

MR HUMPHRIES, by leave: I move:

That Mr Stefaniak be appointed as a member of the Standing Committee on Conservation, Heritage and Environment and the Standing Committee on Tourism and ACT Promotion.

Madam Speaker, I bring to the Assembly's attention that these are the two committees on which Mr Westende served on behalf of the Liberal Party. Mr Stefaniak, as Liberal spokesman in the areas of business, the environment and tourism, will be filling the shoes Mr Westende has vacated.

Question resolved in the affirmative.

**CONSERVATION, HERITAGE AND ENVIRONMENT -
STANDING COMMITTEE**

Jerrabomberra Wetlands Nature Reserve - Draft Management Plan

MR MOORE: Madam Speaker, I seek leave to make a statement on the Jerrabomberra Wetlands Nature Reserve management plan.

Leave granted.

MR MOORE: I rise today to inform the Assembly of the consideration by the Standing Committee on Conservation, Heritage and Environment of the draft management plan for the Jerrabomberra Wetlands Nature Reserve, which was referred to the committee pursuant to the Land (Planning and Environment) Act. On 15 June 1994, the Minister for the Environment, Land and Planning, Mr Wood, wrote to the committee requesting that the committee consider the draft plan of management for the Jerrabomberra Wetlands Nature Reserve. Accompanying his letter was a report on the public consultation processes associated with the development of the plan.

The Jerrabomberra Wetlands Nature Reserve, which is situated at the eastern end of Lake Burley Griffin, is one of the most important areas of wetland habitat in the ACT. It contains habitat of international importance in the conservation of migratory species of water birds and is an important source of food, shelter and breeding sites for many of the species of water birds that frequent the Southern Highlands. The draft management plan has been prepared by the ACT Parks and Conservation Service. It describes how the wetland is to be managed to enhance its conservation, educational and recreational value.

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The committee considers that there are many positive aspects of the plan, some of which I will highlight briefly to the Assembly. Firstly, the committee considers that the plan adequately recognises and protects the important conservation values of the Jerrabomberra Wetlands through its objective to conserve native wildlife and enhance habitat conditions. A key way of achieving this objective is the proposal to establish a register of important attributes and conservation values of the wetlands, its wildlife and significant sites. The ACT Parks and Conservation Service has indicated that it will examine options for the enhancement of those attributes and values which will form the basis of individual management programs.

The committee notes that, while there has been a tendency to place emphasis on aquatic species and bird life, the service has nevertheless recognised that habitat management and enhancement requires an holistic view of the ecology of the wetlands. The committee is also pleased to note that a key focus of the plan is to manage the wetlands so as to optimise its educational value for all Canberrans as well as visitors to the Territory. As such, the plan incorporates strategies to raise public awareness of the need to protect fragile environments such as wetlands and to encourage a sensitivity to the values of wetlands generally that will be reflected in future activities in the area. The plan is also designed to attract visitors of a wide variety of ages and backgrounds to promote community involvement in conservation programs. To this end, guidelines have been included for the provision of public facilities, including a visitor centre, pedestrian and cycle paths, bird observation hides, and facilities for study and education about aspects of wetlands ecology and management.

The committee notes that the plan also provides for the establishment of a refuge area on the western part of the wetlands to which public access will be restricted. The refuge area is aimed at providing a high degree of protection for significant nature conservation values in that area. In particular, it is designed to minimise human disturbance to groups of Latham's snipe, which is a migratory visitor to Australia and is subject to international treaties. The area will also provide a protective area for other species or individual birds which are sensitive to disturbances or which have been flushed out from other areas.

A significant area for cattle grazing has also been retained in the wetlands. As outlined in the report, this will provide many advantages. Cattle grazing will prevent the pasture from maturing in summer to a condition where it might burn in a grassfire. It will also ensure the maintenance of a short and open pasture, which is an attractive habitat for many species of birds. More importantly, the committee considers that, by retaining an area for cattle grazing, the open rural character of the Dairy Flat flood plain will be maintained. Finally, the committee is pleased to note that the plan recognises the desirability of promoting research into management problems relevant to the Jerrabomberra Wetlands. The ACT Parks and Conservation Service will oversee monitoring and research activities carried out by other organisations within the reserve. Such activities will be the subject of written agreement between the service and organisations and all persons involved.

I would like now to make some comments on the consultation process. The committee was concerned that adequate steps had been taken to provide opportunity for public consultation. The committee notes that a draft management plan for the wetlands was released for community comment in December 1988. However, as a result of self-government and changes to the administrative and legislative requirements for the management of lands, a second draft was released in December 1991. The ACT Parks and Conservation Service sought public comment through the press and made copies of the plan available free of charge at ACT Government shopfronts and in response to telephone requests. Five submissions were received by the ACT Parks and Conservation Service. These were generally supportive of management objectives and no new management issues of significance were identified. The plan was reviewed in the light of comments received and a number of amendments were made to it. While only five submissions were received, the committee is satisfied that the appropriate processes of public consultation have been adequately followed.

In conclusion, the committee is satisfied that the draft plan adequately addresses the issues associated with the management of the Jerrabomberra Wetlands Nature Reserve. The committee congratulates the ACT Parks and Conservation Service and its Minister on the excellent job it has done in preparing the plan. At this stage, the committee considers that the plan should be put in place for a period of time to assess its effectiveness. If any modifications become necessary in the implementation of the plan, the committee is confident that these will be dealt with appropriately by the ACT Parks and Conservation Service. However, the committee will be happy to look further at any issues that may arise in the implementation of the plan, if this is felt to be necessary. I present a copy of this statement, and I move:

That the Assembly takes note of the paper.

MR WOOD (Minister for Education and Training, Minister for the Arts and Heritage and Minister for the Environment, Land and Planning) (4.58): The Jerrabomberra Wetlands Nature Reserve management plan describes how the ACT Parks and Conservation Service will manage this reserve to enhance its conservation, educational and recreational values. These wetlands are a significant landscape component of our city and contain bird habitat of international importance in the conservation of migratory species of water birds such as Latham's snipe. Regionally, the wetlands are important in providing food, shelter and breeding sites for many of the species of water birds that frequent the Southern Highlands. Situated at the eastern end of Lake Burley Griffin, the wetlands are close to the urban and business centres of Canberra and have enormous potential as an educational, recreational and tourist resource.

If members have not been out there recently, a visit would be truly rewarding. I commend the Fyshwick Rotary Club and the students of the Dairy Flat school for the work they have done. Rotary has put in lookouts and places to sit and watch. They have helped construct a wheelchair access area, to which people in wheelchairs will have ready access. The path is already around most of the wetlands, I think. There are hides for bird observation and a great deal of tree planting has been done. It really would repay a visit by members.

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It is heartening that, at a time when many of Australia's wetlands have disappeared or are under threat, the ACT has an opportunity to promote wetlands as a valuable and necessary part of our natural heritage. The Jerrabomberra Wetlands plan is the first plan of this type to be laid before the Assembly under the provisions of the Land (Planning and Environment) Act. These provisions require the preparation of a management plan for an area designated as public land in the Territory Plan. As such, this plan represents the culmination of the planning process that started with the development of the National Capital Plan and, subsequently, the Territory Plan.

The Government's longer-term aim is to produce management plans for all areas of public land as identified by the Territory Plan. This was finalised late in 1993, and I am pleased to report that the draft management plan for the Canberra Nature Park and the Murrumbidgee River corridor are now well advanced and will soon be released for public comment. Namadgi National Park, which comprises nearly half the land area of the ACT, has had a management plan since June 1986. A review of that will start in the near future.

Public land is an asset that belongs to all of us. The Government, therefore, has encouraged all members of the community to have their say in how such land should be managed. The Parks and Conservation Service, in preparing the plan of management for the Jerrabomberra Wetlands, undertook a prolonged and extensive public consultation exercise. As well as publishing a draft plan to seek public comment, the service sought detailed input from the Jerrabomberra Advisory Group. This was formed of representatives from a wide spectrum of community groups, academic and research institutions, and government departments which had an interest in the wetlands.

Madam Speaker, the Government is confident that this plan of management is a reasonable reflection of the community's aspirations for this reserve. This plan will ensure its sustainable management for many years to come, and I commend it to you.

Question resolved in the affirmative.

SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE Reports and Statement

MRS GRASSBY: I present reports Nos 11 and 12 of 1994 of the Standing Committee on Scrutiny of Bills and Subordinate Legislation. I seek leave to make a brief statement on the reports.

Leave granted.

MRS GRASSBY: Report No. 11 of 1994, which I have presented, was circulated when the Assembly was not sitting, on 23 June 1994, pursuant to the resolution of appointment of 27 March 1992. Report No. 12 of 1994 contains the committee's comments on 81 pieces of subordinate legislation and two Government responses. I commend the reports to the Assembly.

ESTIMATES 1994-95 - SELECT COMMITTEE
Report on the Appropriation Bill 1994-95

MS SZUTY (5.03): I seek leave to present the report by the Select Committee on Estimates 1994-95 and to move two motions in relation to the report.

Leave granted.

MS SZUTY: Pursuant to order, I present the report by the Select Committee on Estimates 1994-95, together with a copy of the minutes of proceedings. This report was provided to you, Madam Speaker, on Friday, 12 August 1994, for circulation pursuant to the resolution of appointment. I move:

That the Assembly authorises the publication of the report of the Select Committee on Estimates 1994-95.

Question resolved in the affirmative.

MS SZUTY: I move:

That the report be noted.

Madam Speaker, it is with much pleasure that I present the report of the Select Committee on Estimates on the Government's Appropriation Bill 1994-95. There was considerable speculation at the time the Estimates Committee was established this year about how much time would be needed for the committee to complete its task, given that members of the committee would not have end of financial year information about agency performance or agency annual reports to consider. In fact, we gave ourselves half the public hearing time that we had given ourselves last year to conclude our questions, in anticipation of the comparatively smaller workload that we would have to complete this task. However, in terms of compiling the report and commenting constructively on the Government's performance, we have needed all of the winter recess period available to us to complete our task. I would like to thank each and every member of the Estimates Committee for the work that has been done in achieving this result. The effort that many members put in was certainly greater than I expected or anticipated.

Members of the Assembly will note that the Estimates Committee has made 37 recommendations, all but three of which have the support of all of the members of the committee. I note that, when the time came for the motion to be moved in the committee that the report, as amended, be adopted, there was one dissenting voice, that of Mr Berry. When the committee went through each of the issues and discussed and considered each of the recommendations, Mr Berry indicated that he had difficulties with recommendations 16 and 26 and, given that the committee did not accept Mr Berry's proposed amendments to recommendation 11, it could be assumed that Mr Berry opposed this particular recommendation even though he was not present at the meeting at the time to register his opposition to that recommendation.

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I am sure that Mr Berry will contribute to this debate at some point and I will be very interested to hear whether Mr Berry has any difficulties with the committee's report other than the abovementioned sections of the report to which the recommendations refer. I certainly am not aware of any others. Members of the Assembly will note that no additional comments and no dissenting report to the committee report have been provided by Mr Berry, even though he had the opportunity to provide such comments prior to the publication of the report.

Mr Berry: But he did oppose the report.

MS SZUTY: Yes; that is noted. In his letter to the editor published in the *Canberra Times* on Sunday, 21 August, Mr Berry stated:

... your readers would benefit from the knowledge that the Estimates Committee is dominated by the Liberal Party and it is no surprise that the Committee's report reflects this.

In fact, following the resignation of Mr Westende from the Assembly, the committee comprised 10 members: Five from the Liberal Party, three from the Labor Party and Mr Moore and me. I can perhaps understand that Mr Berry would consider the Liberal Party to have a certain perspective in relation to the report; but certainly Mr Moore and I have not. It really does surprise me that Mr Berry does not seem to have come to terms with "the numbers" on the committee as they were, especially at the time of the final consideration of the report by the committee. I do not need to say anything further about Mr Berry's position. I am sure that he can, and will, speak for himself during this debate. I will also be interested to see whether Ms Ellis and Mrs Grassby share any of Mr Berry's views in relation to the report.

Madam Speaker, I believe that, as in previous years, the committee has attempted to be fair in its assessment of the issues, and constructive criticism has been offered by the committee in its report where it is believed that Government performance can be improved. Committee members worked very hard in framing the nine general and 48 specific issues which the committee commented on in the report. Great care was taken to ensure that each section presented gave a balanced perspective in relation to each issue. Of course, I have yet to see whether the Government has accepted the recommendations made in the committee's report, which would offer some confirmation as to whether the recommendations made were fair and reasonable in the Government's view. At the conclusion of my speech I will return briefly to the perception of the role of the Estimates Committee.

I will not have time today to address each of the 57 issues raised in the report or all of the 37 recommendations. I am sure that during the course of the debate most, or all, of them will be referred to by other speakers. However, I would like to comment on a number of issues. It is worth noting that the committee considered the scrutiny of the Government's new capital works program in its entirety without the benefit of an earlier scrutiny process of a draft capital works program by the Assembly's Planning, Development and Infrastructure Committee. The Estimates Committee has recommended that the previous process be reinstated, which will enable more effective scrutiny of the Government's new capital works program in the future. In the report the committee notes the difficulty that

a February election next year and an earlier budget cycle present. Nevertheless, the committee believes that the former process, whereby a draft program is initially referred to the Assembly's Planning, Development and Infrastructure Committee, is the preferred one. Two additional recommendations were made in respect of general issues pertaining to capital works, the committee calling for both detailed information about minor new works to the standard set by the Canberra Institute of Technology and a greater Government commitment to value management.

I would now like to refer briefly to a number of issues raised in the report which have been the subject of comment by estimates committees in the past. These include Comcare premiums, performance indicators, \$3m in health savings, health waiting lists and the Health Promotion Fund. In relation to Comcare, the committee has recommended this year, at recommendation 7, that, now that the ACT Government Service is formally separated from the Commonwealth Public Service, the question of the Government's commitment to Comcare be reviewed by the Standing Committee on the Public Sector, and, further, that the standing committee consider whether those agencies which function as commercial enterprises should be able to seek alternative sources of workers compensation insurance and whether self-insurance should also be available as an option for those agencies. The committee drew attention to the issue of Comcare premiums in last year's report. Given that Comcare premiums have risen again in 1994-95 to over \$23m, the committee believes that the level of payments to Comcare are in need of urgent review.

In relation to performance indicators, the standard of performance indicators used by government agencies has attracted comment from all estimates committees from the first Estimates Committee of the Assembly in 1989. The committee has highlighted two examples of effective performance indicators used by agencies in this year's report - those of the Canberra Institute of Technology and the Auditor-General. Perhaps now that the Auditor-General is going to undertake a review of performance indicators used, the standard will improve across all government agencies. It does appear that the various estimates committees of the Assembly have had no success over the years in achieving an overall better standard.

I turn to the \$3m in health savings. The committee notes that detailed information about the savings will be provided later this year from the Department of Health, according to the Minister, Mr Connolly. In its report, the committee drew attention to comments made by Arthur Andersen Consulting about the announced savings in 1993-94, as follows:

1993/94 savings initiatives:

- . Were poorly developed, including several that were based on incorrect premises, resulting in unachievable savings targets;
- . Did not include strategies for achieving savings targets;
- . Did not have the support of management or unions (especially in the case of Woden Valley Hospital);
- . Did not account for all savings required to meet budget plans;

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. Were introduced three months into the financial year, ignoring significant staffing overruns already incurred at the time the budget was announced;

. The 1992-93 overrun was not well understood and could not be fully accounted for. Therefore, it was virtually impossible to identify the problems that the 1993-94 budget had to overcome.

In the light of these comments, it will be interesting for the committee to see later in the year exactly what savings have occurred.

In relation to health waiting lists, this year the committee has recommended that, in future, as much information as possible about the number of people waiting for elective surgery and the nature and severity of their medical conditions be provided. This will enable the committee to readily compare information about our own waiting lists with what occurs in other jurisdictions in Australia. In fact, I heard Mr Connolly very recently calling for the same information to be provided to him as Minister and to the community so that we do have a better understanding of what is going on in relation to waiting lists.

I turn to the Health Promotion Fund. The committee has made the same recommendation this year as was made last year. Recommendation 35 states:

. the Government ensure funding for the Health Promotion Fund is at least 5 percent of the revenue raised by the Tobacco Franchise Fee.

The committee considered the Government's response to last year's recommendation; but it still believes that the issue needs further consideration by the Government. The committee has gone further this year in recommending that the Government review the rationale for the establishment of the Health Promotion Fund. After all, the committee believes that health promotion is exactly what the fund should be used for.

I would now like to mention briefly a number of recommendations which refer to areas of government activity which have not previously come under consideration by estimates committees. These are the diesel fuel off-road exemption scheme, audit reports, ACTION patronage, motor vehicle testing, the introduction of wheeled garbage bins, the proposed shared facilities at Nicholls Primary and Preschool, and the numeracy and literacy initiative. I am sure that other members of the committee will comment on these issues during the course of the debate.

The committee has also drawn attention to the information and responses given to it by the Commissioner for Revenue during questioning on the diesel fuel off-road exemption scheme. I am sure that all members of the committee regretted the need to do this. Nevertheless, the majority of the committee believed that some comment by the committee was warranted. The committee commented in the report in a number of places, and I would like to quote some excerpts. In the second sentence of paragraph 4.43 we said:

The Committee believes that the Commissioner's refusal to justify his opinion that provisions exist which allow him to tax interstate fuel purchases is unacceptable.

Further, at paragraph 4.46, we said:

The Committee believes that at times in addressing questions about the Diesel Fuel Off-Road Exemption Scheme the Commissioner for Revenue's answers were unhelpful.

The following exchange was quoted in the committee's report to illustrate the preceding point:

Mr Humphries: And some of them use hundreds of thousands of litres of fuel, it would be in their interest, would it not, to make arrangements to buy fuel from a source where they can get it for seven cents a litre cheaper?

Mr Faichney: Well, if that is what you are encouraging them to do, well, then I suspect that they may try.

Mr Humphries: Is that not what they are legally entitled to do?

Mr Faichney: Well, we will see.

Mr Humphries: I would like you to tell us how we can see that to be the case.

Mr Faichney: Why should I tell you?

Mr Humphries: Because we are the Estimates Committee of this Assembly -

Mr Faichney: Yes, but I am the Tax Commissioner.

Further, at paragraph 4.48, we said:

... the Committee expresses dissatisfaction at the manner in which the Commissioner for Revenue responded to questioning by the Committee.

We also said, at paragraph 4.49:

The Committee is concerned that the failure on the part of the Treasurer to intervene during the questioning of the Commissioner for Revenue could imply that the Treasurer condoned his approach in the Committee.

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I am sure that other members will look forward, as I do, to hearing what the Chief Minister has to say about this particular matter, as it concerns one of her Treasury officers.

Madam Speaker, the committee also commented on a number of matters in relation to the presentation of estimates material to the committee, and we have made three recommendations in this area. The first, recommendation 9, is:

. in the lead up to the presentation of budget information in GFS -
that is, governmental financial statistics -

format the Government provide additional information of a transitional nature which will enable the Committee to readily compare budget information.

Further, recommendation 15 is:

. future budgets clearly show the source and use of all ACT funds and a complete statement of public assets and liabilities.

Recommendation 18 is:

. the Government include details of both the liability for superannuation and the amount of funds set aside in respect of that liability in future budgets.

I will be interested to see the Government's response to these recommendations, which, if adopted, will make the Estimates Committee's task easier in future years.

I would now like to make several concluding remarks in a number of areas. Firstly, the Estimates Committee has recommended, in recommendation 1:

. a Select Committee on Supplementary Estimates be established to examine and report upon the performance outcomes of ACT Government agencies for the year ending 1993-94 having regard to information including agency financial statements and annual reports.

I believe that considerable care needs to be given to the establishment of the Supplementary Estimates Committee later this year. I have said earlier in my remarks that I believe that the Estimates Committee has attempted to be fair in its assessment of the issues and that constructive criticism has been offered by the committee in its report where it is believed that Government performance can be improved.

I certainly do not agree with the view expressed by the Liberal Party. To quote from *Media Advisory* dated 13 August 1994, "All party Committee slams Follett Labor Government"; further, "Opposition Leader Kate Carnell will deliver a speech at Deakin at midday today to comment upon the findings of a damning report by the Assembly's all-party Estimates Committee into the Follett Labor Government's mismanagement of Canberra"; and under "Event", "Speech by Opposition Leader Kate Carnell about the damning findings of the Estimates Committee report". (*Extension of time granted*) It may well be that there are few members of the Assembly who believe that the estimates committee process is not a political one and that my views are those of a very small minority. If that is the case, I will have to give careful consideration to whether it is appropriate for me to put my name forward as a candidate for the chairperson's role during the supplementary estimates process later in the year. By way of concluding remarks, let me say that I will listen carefully to what other members of the committee have to say about the committee process, the report and their assessment of the Government's performance. I will also pay close attention to the Government's response to the committee's report. I may well have more to say when the report and the Government's response are debated together with the Appropriation Bill on Thursday.

Finally, Madam Speaker, it would be remiss of me not to mention the outstanding work that has been done by two members of the Assembly Secretariat, Mr Bill Symington and Miss Sandra Shaw, who have provided assistance to the Estimates Committee. I would like to thank both of them very much indeed for working long hours, under considerable pressure, to enable this report to be compiled on time and delivered to you by 12 August. They can even read my handwriting, which is an accomplishment indeed. Madam Speaker, I commend the report of the Select Committee on Estimates on the Government's Appropriation Bill 1994-95 to the Assembly.

MADAM SPEAKER: Before I call anyone else, I wish to make a brief statement. I wish to inform the Assembly that I have noted the concern expressed by the Estimates Committee at the manner in which a witness responded to questioning by the committee. This incident suggests a need to look at the procedures for public hearings of Assembly committees to ensure that the rights and responsibilities of committees and witnesses appearing before them are properly understood. To this end, I have asked the Clerk to make arrangements with the head of the ACT administration to ensure that officials appearing before Assembly committees understand their obligations. I will also be writing to all members about a seminar which I propose to conduct on this matter.

MR KAINE (5.21): Madam Speaker, with the tabling of this report for debate, we are now coming to the end of one of the most important activities that this Assembly can engage in. It is one of the rare occasions when the Government is truly accountable for what it proposes to do. With the change in the budgetary arrangements, the second point at which the Government becomes accountable is later in the year, when, if the recommendations of this Estimates Committee are adopted, there will be a second Estimates Committee that will actually look at the performance of the Government last year. This is important, because Ministers and officials come before the committee and they are asked by the members of the committee to account for the information that has been put before us. In this case, they have been asked to account for the amounts of money which the Government has asked this Assembly to appropriate for its use over the next year.

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For my part, I have sat through a number of Estimates Committee hearings over a number of years, and there are some aspects of the process that trouble me. The first of those is this business of being accountable. The chairperson has commented on one incident, where there was, in my view, an absolute lack of accountability, where an official, for whatever reasons, declined to answer questions that were put to him. But that was compounded by the fact that the Minister was sitting next to that official and said, "Hear, hear!". How can a government come here and claim to be accountable when it not only refuses to be accountable during a hearing of an estimates committee but also encourages its officials not to be accountable? I think that is a matter of great concern that this Assembly needs to pay attention to. If the members of the Government and the officials working for it are not accountable in the forum of the Estimates Committee, there is no place and there is no time at which they can be made accountable. I think that the community out there would be interested in that. I think that the community ought to have a very great interest in it.

To get to the appropriations that we have been looking at in the Estimates Committee over recent weeks, I would like to note some of my concerns about them in general terms. I am sure that other members will want to bring up specific points that emerge from the Estimates Committee report. The first thing that troubles me is this question of the Government making predictions that simply do not eventuate, and it comes back to the question of accountability. How can you hold a government accountable for statements that it makes where nothing happens and it seems that it cannot be held accountable? I quote from the budget speech for the year 1992-93, two years ago. The Chief Minister, in talking about the social and economic environment, said, "The unemployment rate is also starting to fall". At the time, I wrote in my usual red ink on the margin, "Optimistic?". I would like the Chief Minister to explain to us where in the two years since she made that statement unemployment has fallen. We get these false predictions that people build their hopes on and which do not eventuate.

On a minor level, I note that in the same budget speech, for 1992-93, the Chief Minister said, amongst other things, "In this budget, we will commence work on the hospice". It took nearly two years before that actually happened. So these kinds of statements appear in budget papers and they never eventuate. I will move on to the budget speech for 1993-94, one year ago.

Members interjected.

MR KAINE: The Minister wants to talk now. I wonder whether he wants to get up and be accountable when it is his turn. I am sure that he will be very silent then.

I come to the budget speech for 1993-94. This is one that will be dear to the Minister's heart. The Chief Minister said in her budget speech, "As part of this process" - she was talking about efficiencies in the health organisation - "savings of \$3m will be made in the health budget during 1993-94". We know that not only were there no \$3m savings but the budget blew out. That happens year after year. We never get the Government

coming back and saying, "Gee whiz! I apologise. I made a mistake. That was wrong and I would like to correct it". I wonder which predictions in the budget speech for 1994-95 are going to be proved to be just as incapable of implementation. For example, under the heading of economic progress, the Chief Minister said:

Construction activity, other than for housing, showed good recovery during 1993-94 and is forecast to grow at a healthy rate during 1994-95.

That statement was made only a very short time ago. I wonder whether that prediction is going to be sustained.

Again in terms of our economic progress, private business is strong, we are told. That is not the message that I get from our private sector. Private business is not strong. It is hanging on by its fingernails and is likely to fall off the cliff any day. We are told that industries such as high technology and telecommunications are also growth industries. We know that they are growth industries; but what does that mean for the budget? We get these platitudes, these statements that do not mean anything, scattered through the documents. If they did mean anything, we would be in a lot better position than we are in today. So there are problems about these predictions that the Government makes. It never substantiates them. They never come to fruition.

The second problem is the question of verifying the validity of our estimates. Year after year, the Government comes forward and gives us its Appropriation Bill, and we are asked to appropriate these sums of money. We know that their estimates are not very close to the mark sometimes. But, in the last two years, not only have they not been very close to the mark; they have gone right off the planet. For example, last year, in explaining her budget, the Chief Minister said that the outcome of the 1992-93 budget met some of her aims handsomely. She said:

An overall deficit of \$64m estimated at budget time last year was held to only \$1.5m. A strong recurrent surplus of \$59m funded nearly all the capital deficit, thus removing the need to borrow.

What she was saying was that, a year before, we appropriated \$59m that she did not need. That is what it boils down to. That was one year ago. We were told a similar thing in this year's budget speech, namely:

The deficit on the Consolidated Fund is contained to \$64.5m. This will be met with a very modest borrowing program of \$36m. Internal funding will cover the remaining deficit. The higher than expected receipts in 1994-95 compared to the forward estimates have been used to reduce borrowings.

Year after year, revenues far exceed what we are told at the beginning of the year they are going to be. In one case, in particular, there was a \$30m underspend compared to what the Government told us they wanted to spend. Year after year, the Chief Minister and Treasurer comes back and says, "Aren't we good managers? We did not spend \$30m that

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we asked you to appropriate a year ago", or, "We actually got \$30m more revenue than we told you we were going to get. Aren't we great managers?". This is not good management; this is sloppy management. It is sloppy estimating.

What I want to know is: In the amount that we are now being asked to appropriate for this coming year, \$1.312 billion, how much are we overappropriating? How much of that is the Government not going to spend by "good management"? Every time they do not spend it, it means that something that the money was appropriated for has not been provided for this community. That is not good management; it is appalling management. So I ask the question again: Of the \$1,312m, how much is going to turn out at the end of the year to be unnecessary or, by poor management, not spent on something that today the Government is telling us it needs to provide for this community? On the other side of the coin, are we going to discover at the end of the year that our revenues vastly exceed the estimates that are given to us in here? I do not know - and I do not think the Chief Minister can tell us either - that that is good management.

The third thing that concerns me greatly is the inability of the Government to substantiate many of its claims about its performance. The Auditor-General and the Estimates Committee year after year have commented on the fact that we have no performance indicators that can be relied upon to tell us how the Government is performing. There are a number of recommendations in our report that deal with that. We cannot rely on the predictions. There is no accountability. The Chief Minister just does not want to be accountable. She refuses to be accountable. We cannot verify whether the estimates that are put to us are good, bad or indifferent. We cannot substantiate the performance claims that the Government makes. So is it any wonder, Madam Speaker, that there is a certain amount of scepticism, not only in members of this Assembly when we go before estimates committees, public accounts committees and the like, but in the general public out there, who are entitled to ask the question: Who is managing and why are they managing so badly?

Only a few days ago, we were told that the Government is going to pay VITAB \$3m. That is not appropriated in here. Where is the \$3m going to come from? Mr Lamont says, "We are going to take it from a reserve". Which reserve? Where is there a reserve with \$3m in it that we can simply take the money from and give it to VITAB?

Mr Lamont: I never said that.

MR KAINE: Yes, you did. Mr Lamont is on record as saying that it is coming from a reserve and that it will not cost the taxpayer anything because the TAB is going to pay it back. In the first place, it has to be taken from Consolidated Revenue. There is no reserve there that has in it \$3m that is not needed for anything. It is public money, not a freebie. On the other end of the scale, when it is paid back, if it is paid back, by the TAB that will be money that is not available for the purposes for which TAB money has been used, in the public purse, before. So we have this myth about \$3m that is just going to appear and is not going to have any effect on our budget. That is rubbish.

It must have an effect on the budget. It has to come from somewhere and, if it is paid back by the TAB, it is going to represent a net reduction in the amount of money paid by the TAB to be used for public purposes. Somewhere along the line, the taxpayer out there is going to produce \$3m.

Mr Lamont: A good deal!

MR KAINE: We have heard about good deals before - "Have I got a good deal for you? It is money for jam". We have heard it before, have we not? The only one that has got money for jam is VITAB.

Mr Lamont: If Mrs Carnell had been doing it, she would have been paying out \$50m, if you listened to her. Then she knocked it down to \$10m. If she had not been out there yelling at us, it would not have got that far.

MADAM SPEAKER: Order! Mr Kaine has the floor.

MR KAINE: I think that I am making my point, Madam Speaker. We go through these processes every year and we get no closer to finding out how good the budget is. We get no closer to figuring out how well the Government manages. In fact, there is plenty of evidence to say that it manages badly. We have no evidence whatsoever and there are no performance criteria, even after all these years, that we can use to say, "Yes, the Government at least did that right". You cannot focus on it anywhere. However, there will be another bite at the cherry in a couple of months' time, when we can at least look at last year.

The regrettable thing is that with this year's budget, once we approve it, it will be a whole year before we get another look at it. So, with all its flaws, with all its faults, with all the mismanagement, with all the bad management, it is going to be a whole year before we know whether the Government really needs this money or whether it has spent it badly. I suspect that we need, amongst other things, to have a more frequent review. The New Zealand Government submits six-monthly reports to its parliament on how the Government is going, and maybe we need to do that. Maybe we need to get a look halfway through the year, without waiting until the end of the year, until it is all over and done with, and then discovering all the errors and all the holes in it.

Mr Lamont: I reckon that we have good performance measures. We measure our performance against his, and we come out ahead every time.

MR KAINE: Madam Speaker, could the chatter be cut down a bit? He will get his chance when he responds to this, if he wants to respond.

MADAM SPEAKER: That is fair comment, Mr Kaine.

MR KAINE: There are some very substantive recommendations in this report, which I hope the Government takes very seriously, that have to do with their performance, measuring it, and their being accountable for it. I can only hope that the Government takes this report as seriously as the other members of the Assembly do and that they pay some regard to those recommendations.

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MS FOLLETT (Chief Minister and Treasurer): Madam Speaker, I seek leave to make a personal explanation.

MADAM SPEAKER: Proceed, Chief Minister.

MS FOLLETT: In the course of his remarks, Mr Kaine intimated that I had offered support by way of saying "Hear, hear!" to a witness before the Estimates Committee who was denying the Estimates Committee information; in other words, being less than accountable. I deny that, Madam Speaker. In reading from the *Hansard* of the Estimates Committee I can advise members that the only time I said "Hear, hear!" was when Mr Faichney said:

I do not see why I should make it easier for tax cheats to evade ACT tax.

I said "Hear, hear!". Madam Speaker, I still support that comment by Mr Faichney, and I do not intend to make it any easier for people to evade paying ACT tax. That is the only occasion on which I said it. So I think that Mr Kaine was, at best, drawing a very long bow; at worst, trying to mislead the Assembly on the nature of that particular debate in the Estimates Committee.

Mr Humphries: Madam Speaker, I ask the Chief Minister to withdraw the suggestion that Mr Kaine has attempted to mislead the Assembly.

Mrs Grassby: Why? It was misleading, because it was not said in the right place.

Mr Humphries: Because it is contrary to standing orders; that is why. You said that Mr Kaine was trying to mislead the Assembly.

MS FOLLETT: Madam Speaker, I do not want to make an issue of it. I will withdraw "mislead" and say "misinform".

Mr Humphries: Thank you.

MADAM SPEAKER: Order! The Chief Minister is correct.

Debate interrupted.

Sitting suspended from 5.38 to 8.00 pm

FIRE AND EMERGENCY SERVICES CONTRACTS

MR LAMONT (Minister for Urban Services, Minister for Housing and Community Services, Minister for Industrial Relations and Minister for Sport): Madam Speaker, during question time this afternoon I undertook to provide an answer to a question without notice about contracts awarded in *Gazette* No. 28 of 20 July in relation to ACT Fire and Emergency Services. Staff entitlements resulting from the assistance provided to New South Wales during the January 1994 bushfires would have resulted in considerable payments to those involved. I am advised that that would have been in excess of a quarter of a million dollars. The firefighters agreed to forgo those entitlements in return for assistance in implementing a fitness program. ACT Fire and Emergency Services supports physical fitness for firefighters and this offer provided the opportunity to bring forward the firefighter fitness for duty program. This program is a requirement under negotiations towards a national firefighters award which places emphasis on whole of career fitness for firefighters. It is also consistent with the ACT OH and S legislation and the ACT Fire and Emergency Services program to reduce Comcare commitments in the longer term. The equipment contained in contracts was negotiated with the United Firefighters Union of Australia and acquired through local suppliers.

ESTIMATES 1994-95 - SELECT COMMITTEE Report on the Appropriation Bill 1994-95

Debate resumed.

MRS CARNELL (Leader of the Opposition) (8.03): Madam Speaker, one of the most interesting or telling points about the Estimates Committee's report was that it was released so late in the evening, at a time when it was very hard for news bulletins to pick it up. Contrary to what Ms Szuty suggested - that the report was somehow not damning of the Government - after reading it again over the dinner break I do not think she has read the same report as the one that members on this side of the house put their names to. This report does damn the Government, and it damns it right from the beginning to the end; right from where we started looking at the 2 per cent budget savings, the sorts of things that were supposed to have happened over the last three years, and asking various areas of government where they were made and how they were made. Very rarely were we able to get a response to that. That certainly has been picked up in this report.

It is interesting that the budget gives such a false view of the Territory's financial situation. I was fascinated, as I am sure was the rest of the Estimates Committee, that the Government could not tell us what the gross debt or the net debt of the Territory was. In fact, they suggested that they would not be able to tell us until September. We could not, for the life of us, work out how they had come up with a budget at all if they did not know what the debt was, whether it be the gross debt or the net debt. They also could not, of course, tell us what the servicing costs of that debt were.

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That also will come in September, we are told. How do you put together a budget if you do not know what your interest payments are going to be and if you do not know what your debt servicing costs are going to be? Obviously, some figure was determined, but the Estimates Committee had a lot of trouble trying to find out what it was. Similarly with the superannuation liability. It was impossible for the Estimates Committee to get a real figure for the superannuation liability for the Territory - what it is costing us now, what it is likely to cost us in the future, and whether the Assembly and the people of Canberra down the track are likely to be able to afford it.

One of the most interesting parts of the budget from my perspective was the presentation of the estimates material itself. That again was something that the Estimates Committee picked up. Anybody who is interested in being totally bemused should turn to page 17 of the Estimates Committee report and read Mr Morgan's response, which is printed in full, when asked to explain to the committee exactly what outturn prices were and how they were used. I could read it into *Hansard* but it is already here, and I am sure that everybody who reads it will be as surprised as the Estimates Committee was. I think it would be impossible for any mortal to understand. In fact, the Treasury officials themselves suggested that there was no way that the budget reports, as they were presented to the Estimates Committee, could be interpreted. They admitted it. They admitted that the figures simply were not there. I do not believe - and I am sure that the Estimates Committee does not believe, Ms Follett - that it is acceptable to bring down a budget that it is impossible for even people with economics degrees to interpret. It was interesting to read that economists from the ANU suggest that the budget was impenetrable even for academics in the economics field. Certainly, the Estimates Committee felt the same.

The amazing situation that occurred with regard to the diesel fuel tax has already been spoken about this evening. The Government said that it had collected the tax on fuel bought from New South Wales and used in the ACT, but it was not able to cite any legislation which allowed it to do that. Does that mean, Ms Follett, that the tax has been collected illegally? Or does it mean that the tax has not been collected? On one side we have the situation that the tax has been collected illegally. On the other side we have people who did not tell the truth to the Estimates Committee. Either is not terribly attractive, and the Estimates Committee certainly felt that.

I will move on to the casino premium. I was amazed, as I am sure were the rest of the Estimates Committee, as reported in the report, to find out that only 20 per cent of the premium had been allocated. We were also interested to see that there really was no effort whatsoever to use the money this financial year. It will be used down the track somewhere, we are told. This certainly does back up the view already put by Mr Kaine and others that this money that belongs to the people of Canberra was going to be used to buy votes during the next election. I can be confident that every member of the Estimates Committee will be looking very hard at that.

Ms Szuty has spoken already about the amount of Comcare premiums this year. The Estimates Committee spoke about this last year as well. It is fascinating to read what the report says. I quote:

Despite escalating costs of premiums, failure to achieve rehabilitation of workers, and information that agencies such as ACTEW could self-insure much more cheaply than continuing to deal with Comcare, the Chief Minister was unwilling to reconsider the workers' compensation arrangements in place for any ACT agency.

There is no doubt that that is damning of Government policy, not just this year but last year as well. What happened? Absolutely nothing. We heard about the Housing Trust - something that I am sure Mr Cornwell will speak about. It was owed \$3.3m in rent arrears. What did they do? They called in the debt collectors. But when they called in the debt collectors what happened? They did not have proper information to track down the defaulters in many circumstances.

I move on to health. I was fascinated to hear Mr Connolly's comments about the Estimates Committee's report on the actual cost of opening private beds. The Estimates Committee has been quite definite. It supports the opening of private beds in the ACT as a method of taking the pressure off the public hospital system. But Mr Connolly says that he did it to save \$1.1m. Mr Connolly knows, as the Estimates Committee knew, that that would work only if all of those patients, the whole 1,400 patients, who would have had their babies in the public hospital system had them in the private system and none of those beds were used.

Mr Connolly: All the doctors are laughing about that little stunt.

MRS CARNELL: Only if none of those beds were used would that money be saved. Even if they were all day patients, Mr Connolly, it would still cost money. As the whole Estimates Committee said - there were no dissents whatsoever from this - Mr Connolly, you did not tell it as it was. You did not tell the truth.

Mr Connolly: Oh!

MADAM SPEAKER: Order, Mrs Carnell!

MRS CARNELL: I withdraw.

Mr Kaine: What you meant to say was that he misled the house.

MRS CARNELL: No. I think anyone just needs to read this. That is all right.

MADAM SPEAKER: Mr Kaine, that is completely out of order as well.

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MRS CARNELL: It was interesting that in the health area, Madam Speaker, the Government still could not explain last year's Estimates Committee report. It could not explain a situation where \$3m was supposed to be saved. Mr Berry could not explain where it was supposed to be saved last year, and, of course, in the end it was not saved, as we found out from the Arthur Andersen report. We also found out, as the report says, what is happening in ACTION. We are not saving money, but there are fewer passengers on the buses. That is what is happening in ACTION - fewer and fewer people are using the bus service. That seemed to be all right. That seemed to be quite acceptable. We will spend \$1m a week, but we will have fewer and fewer passengers on the bus service.

I suppose I have to finish off with the VITAB situation. I will be fascinated to hear from the Chief Minister how the \$3.3m is going to cost the taxpayers nothing, as her Minister was very happy to tell the people of Canberra recently. It was interesting, in the Estimates Committee, to go through what had actually happened in the VITAB area and what was actually happening with ACTTAB. It will also be interesting to hear the Minister explain what he is going to do about the big gap that the Northern Territory TAB is going to place in our budget.

MS ELLIS (8.14): I have only a few brief comments to make, more about the processes than about the report itself. Whilst I have not formally dissented from the report, there are some aspects of the comments in it about which I do feel some discomfort. There are some comments that I consider to be simply of the political type rather than reflecting the scrutiny that I believe the Estimates Committee process is there to carry out. Maybe I should add, Madam Speaker, that the method by which the draft reports are produced for the committee should be examined in the future. Under the current system it is almost unavoidable that political bias will enter the process. As a member of the committee, I intend raising this as a serious issue at the next Estimates Committee process.

The estimates process is very important to this place. Not very often do I, as a member of this place, stand and make comment that I believe to be fairly critical of the processes in which I find myself; but in this instance I believe that I have no choice but to do so. Our committee system is an excellent one - I believe that we produce excellent work through the committee system - but I must admit that at times during our most recent Estimates Committee process I think those standards were threatened. I do not personally subscribe to harassing witnesses. I do not consider this a clever way of getting to the facts of a matter. When questioning members of our public service, for instance, I do not agree that a harassing and haranguing approach is warranted or justified. I recall last year's well-publicised tutelage of the Liberal members of the Estimates Committee at the time by the then famous Bronwyn Bishop. Given her apparent political demise, or trip to the wilderness, or whatever it might be - - -

Mr Kaine: I raise a point of order, Madam Speaker. I received no tutelage from Bronwyn Bishop or from anybody else in the way that I deal with the Estimates Committee. I would like that assertion withdrawn.

MADAM SPEAKER: Mr Kaine, if you want to make a personal explanation you should seek - - -

Mr Kaine: No; I want that misstatement withdrawn, Madam Speaker. That is what I am standing up for.

MADAM SPEAKER: Mr Kaine, you can make a personal explanation under standing order 46.

Mr Kaine: Madam Speaker, I am not making a personal explanation; I am taking a point of order.

MADAM SPEAKER: It is not a point of order.

Mr Kaine: The lady has misstated the facts, and I think it ought to be corrected.

MADAM SPEAKER: Mr Kaine, Ms Ellis may continue.

MS ELLIS: Thank you, Madam Speaker. Given that famous person's disappearance, at least for the time being, I imagine, from the mainstream political reporting area, I thought that maybe her tactics would have gone with her. But no, they were displayed on and off throughout the hearings, and they added, I believe, not one iota of credibility to our processes. It is the processes of the Assembly here and now that I am defending.

The Chief Minister has consistently acknowledged and accepted the importance of the role of an Estimates Committee in this place. I know that, given proper scrutiny and fair examination, we can all contribute to improvements in our system of accountability, our accounting procedures, and so on. In fact, in the work of the Public Accounts Committee, scrutiny and critical comment across party lines occurs all the time, and I believe that it adds in a very positive way to the system that we run here in the Assembly.

I believe that the behaviour, the actions and the input of some members of the Opposition have devalued the process, merely because silly political points were sought to be made. I am, however, a realist, Madam Speaker. As a Government member of the Estimates Committee in this Assembly, I am part of a minority. In fact, depending on the issue at hand, the Liberal members hold the clear majority in that Estimates Committee process. A great deal of responsibility comes with that role. If our committee system and our estimates process is to remain credible and highly regarded, we must all treat the process with respect and with intelligence.

I want to thank my other committee colleagues for their assistance, their contributions and their cooperation in this process. The chair of the committee, Ms Szuty, had, I believe, a difficult job, given my earlier comments. I want to thank her for her advice, her help and her willingness to discuss different aspects of the inquiry as they arose, and to compliment her on what I believe was a very difficult task. Ms Szuty alerted me to the fact that, on the release of the report, a press conference was being held to which, as a member of the committee, I was invited. Unfortunately, it was a press conference that I could not attend. I suppose that I could have done what the Liberals did and called

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a press conference of my own, but that really flies in the face of how our committees have worked until now. Our estimates process belongs to this Assembly, not to the Liberal Party. I believe that those comments are warranted as a reminder of the responsibility that we in this place have, in our committee process in general - it has been proven in our committee process in general - and the Estimates Committee in particular.

MR HUMPHRIES (8.19): Madam Speaker, I think it would be reasonable to assume after more than five years of Estimates Committee reports in this place that the reports might be getting shorter and more succinct, but I regret to say that that is not the case. Clearly, our Estimates Committee appears to be capable not only of covering more ground but also of producing more matters of real substance.

I heard Ms Ellis's comments about politicking - I think that was the word she used - and I would challenge her to point to some issue or some recommendation in this report which cannot be substantiated. Everything in this report is, and can be, substantiated. Everything in this report is a matter or should be a matter of real concern, of real issue, to anybody wanting to make sure that this Territory is governed properly and in the most efficient manner possible. Every one of us in this place, even those of us who were present during things like Mr Faichney's evidence in the course of the last day of hearings, knows that there are severely unsatisfactory elements of ACT administration which are dealt with in this report, and that is the object of the Estimates Committee process. That is what we are meant to be doing in this process which is important. I hope that Ms Ellis realises that it is not just patting the Government on the back that makes the difference between a good and a bad Estimates Committee report; it is getting down to the meat of what is not going right in this Territory and dealing with that.

Madam Speaker, unfortunately this year's Estimates Committee was longer than any other year's that I can recall. This was partly because many of the issues which had been raised in previous Estimates Committee reports had to be repeated because they had not been picked up and adopted by previous governments or by this Government and partly because, unfortunately, there are still a number of issues which come to light which indicate what I would call a less than firm grip on the reins of the public sector and government generally by this administration, or possibly, in some cases, perhaps even too firm a grip, which indicates that they are making decisions which are not well borne out by the facts as they present themselves.

The point is, of course, that there is little referred to in our report which should be new to this Government. Many of the recommendations are old recommendations which have been repeated because they have not been acted upon. Indeed, many of the problems that were addressed in previous Estimates Committee reports have been more urgently addressed this year because the issues have been even more serious through the effluxion of time. I think, Madam Speaker, that others have referred to the fiasco concerning the abolition of the diesel fuel exemption scheme. I think I need to refer to only a few aspects of that to make the point that we have here a serious issue before the Assembly - not just the Government and not just the Estimates Committee, but the Assembly - which has to be addressed, because a significant amount of Territory money, Territory revenue, is at stake with the operation of this scheme. Almost a year after the diesel fuel exemption scheme was abolished, there are extremely critical issues which have to be addressed before we can be assured that we have made the right decision in that respect.

The issues of enforcement and cross-border trade were put squarely to the Government during the debate we had in October last year about this particular issue. I will not return to that issue. That was resolved politically on the floor of the Assembly, but I do think that we should have been less than surprised to see the issue come back up again. Members at the time, I think it is true to say, particularly members on the cross benches, were persuaded by the Commissioner for Revenue in the Territory that the apparent problem of enforcement and cross-border trade could be dealt with and would be dealt with by his administration. Some of us at least accepted that assertion. It became apparent that there was a problem with this. That happened when I tabled a letter from the Treasurer of New South Wales, a letter which I would have thought I did not need to get from the Treasurer of New South Wales. The Chief Minister and Treasurer ought to have obtained that letter from the Treasurer of New South Wales when the problem was first raised on the floor of the Assembly. Nonetheless, I put that to one side.

Having put that issue on the table, I think the Estimates Committee of this Assembly was entitled to expect a certain degree of frankness and openness about what the problems were which faced this scheme, and what problems apparently existed with regard to enforcement and cross-border trade. Those of us who were present during the unedifying spectacle of the commissioner giving evidence before the Estimates Committee would be forgiven for thinking that openness was not a high priority for this Government. I use the word "Government" because I do not think that the blame should be sheeted home fully to Mr Faichney. Mr Faichney sat beside his superior, the Treasurer, throughout his 50 minutes or so of examination by the committee. I maintain that it was proper questioning by the committee - not harassment and haranguing, as I think Ms Ellis was suggesting was the case in that instance. She did not name anybody; she was just referring to that particular exercise. All those questions were good questions. They were all appropriate and they should have been answered; but they were not.

Do not forget that this Assembly relied very largely on the word of Mr Faichney to pass that legislation in 1993. I think we were entitled to expect that he would be equally open about explaining the problems with that very scheme that were now identified. He was asked this fairly simple question: "You, Mr Faichney, assert that there is a capacity by the Government to prevent people crossing the border and buying diesel fuel in New South Wales. The Treasurer of New South Wales has indicated that he is prepared to supply certificates of exemption to any citizen of the ACT who can prove, or who can indicate satisfactorily, that he or she wishes to use diesel fuel for an off-road purpose". So, clearly, stopping the issuing of certificates was not going to be a barrier to obtaining fuel in New South Wales. Mr Faichney was asked, quite properly, "How will this be prevented? What provision of the legislation will you rely upon to hunt down those who seek to cross the border and deny the Territory revenue?".

Mr Faichney, as we all know, was not prepared to indicate the answer to that question. Ms Szuty has quoted what I think were quite disgraceful answers by Mr Faichney to indicate that he was not prepared to supply information to the Assembly merely because we, the Estimates Committee, were asking the questions. To quote him, he said, "I am the Tax Commissioner", as if that was answer enough.

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Ms Follett: His job is to collect the taxes, not to help your mates avoid them.

MR HUMPHRIES: Again this question arises: If there is legislation in this Territory which prevents someone from crossing the border to buy their fuel in New South Wales, ought not the commissioner have been able to say, "Yes, this is the provision which prevents them from doing so."? Let us forget about politicians for a moment. Pretend that one of us is a consumer of diesel fuel out in the community. The consumer hears this debate going on in the Assembly and he sees the Opposition saying that it is not illegal and the Government saying that it is illegal to go to New South Wales. He is confused. He wants to know what the story is. Should he not be able, as an ordinary citizen, to go to the tax office and say, "Can you tell me what law of the Territory prevents me from doing this? Can you tell me which provision it is in the law, so that I can look at it to see whether the proposed conduct I want to engage in will render me a criminal"? That is a perfectly legitimate request. Anybody asking that question should be able to get a positive answer to it.

I think, Madam Speaker, that the Estimates Committee has made an extremely important point here. Citizens ought to be able to know under what law of the Territory it is that they are accused of breaking the law. These people across the way have been saying, "You break the law by crossing the border and buying your fuel in New South Wales", and they cannot say how or why.

Mr Kaine: It is only because they say so.

MR HUMPHRIES: It is only because they say so. That is entirely and utterly unsatisfactory. I repeat the assertion I made before - that the Chief Minister was perfectly happy to see this approach by the commissioner take place. Her defence appears to be, "I did not condone Mr Faichney's conduct", by quoting that reference to "Hear, hear" and saying, "I was only making reference to a particular comment that he made immediately before that". I draw members' attention to the fact that that answer by Mr Faichney was in response to this question of mine:

... can you refer to a provision in the law which allows you to stop that happening?

That is, crossing the border and buying the fuel. Mr Faichney said:

I do not see why I should make it easier for tax cheats to avoid ACT - evade ACT tax.

Why should he not be able to tell that to anybody? Why should he not be able to tell us? Is it not our right to know that? If I say to Mr Wood, "You are breaking the law by driving your car at 60 miles an hour down the Tuggeranong Parkway", and I happen to be in a position of authority, should I not be able to satisfy his request to know which law he is breaking? Of course I should be in that position. Madam Speaker, the Chief Minister did condone what Mr Faichney said; indeed, she encouraged what he said, and the Government itself must face this question. (*Extension of time granted*)

Madam Speaker, the issue is not just a debating point. The Government explained to the Assembly last year that we would raise \$1m in revenue by this measure. In fact, I understand that Territory revenue from diesel fuel franchise fees has fallen short by \$700,000. If you people across the way are not concerned about that, I sure as hell am, and so are my colleagues. I think those on the cross benches in this place are also, and they deserve an answer to that question. I also would like to know when the Chief Minister became aware of this shortfall in revenue. I find it hard to imagine that she would have been unaware that revenue was disappearing at an annual rate of \$700,000 at least halfway through the year.

Mr Cornwell: She is not even in the chamber to listen to you, Mr Humphries.

MR HUMPHRIES: She is over there actually, on the benches over there. I would have thought that she would have been able to indicate to the Assembly some time ago that there was a problem with the collection of revenue from the diesel fuel franchise fees. Apparently the good management of this Government does not make that kind of thing possible. I understand, Madam Speaker, that in fact there is extensive purchasing of diesel fuel going on across the Territory border, and that it has been going on for quite some time. I have been told by people involved in major ACT industry groups that it is a widespread practice to buy fuel in New South Wales.

Mr Berry: Come on! Names and places; names and times.

MR HUMPHRIES: Mr Berry challenges me to name people and places. Let me put this on another basis, Madam Speaker. I ask the Chief Minister to rise in this place and tell me for certain that she knows that it is not happening, because Mr Faichney told us last year that he knew that it would not be happening and he would know if people crossed the border. He told us that. He said, "I will know if people cross the border". In that case, let the Chief Minister tell this place whether she knows that cross-border trade is taking place. I predict that she will not, because she knows that it is taking place. Madam Speaker, I think that this report, on that score alone, is a damning report of this Government, a government which sits on its hands while a problem as serious as this takes place, and I think the Assembly is absolutely entitled to take this matter extremely seriously indeed.

MR MOORE (8.33): It is normal, Mr Lamont, for members of the committee to speak to a committee report.

Mr Lamont: I do apologise, Mr Moore. I thought you were saving your comments for the Government response.

MR MOORE: Not at all. Madam Speaker, it is with pleasure that I rise to speak on this committee report. My colleague Ms Szuty said that it is intended to be a constructive report, and the Liberals say that it is a report that is damning of the Government. The two are not mutually exclusive. It can be a constructive report and it can also be damning of the Government. The parts that I find most damning of the Government are those pointing out where previous estimates committees have put in the kind of work that

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we have done again this year only to be ignored. It is an appalling affront to the committee, and an appalling affront to this Assembly, that year after year we have to put in our reports something to the effect of recommendation No. 13 this year. That recommendation is:

. the Government puts in place appropriate performance indicators which will enable effective scrutiny of the success or otherwise of various employment programs.

Why is it that the public servants, particularly the senior public servants, do not want to have performance indicators that can be measured? Why do they resist performance indicators that can be measured? It is because they do not want to be measured. I must say that it is with delight that I see that the Auditor-General has taken on his appropriate watchdog role and is directing specific attention to performance indicators. Until we get what we have asked for every single year of this Assembly, until we get some performance indicators that are measurable, we are still going to have difficulty with accountability. Madam Speaker, I draw attention to the fact that last year the committee actually commended one department - as I recall, it was the Canberra Institute of Technology - for its efforts in this area. It can be done, but there is resistance to it.

Madam Speaker, I think it was constructive for us to have asked about the 2 per cent overall cuts; but I also think it was damning of those parts of the Government and those parts of the departments that were not able to identify their 2 per cent cuts in the light of what extra money they received. This 2 per cent across-the-board cut thing was a fiction, as I interpret it. Invariably, while we found somebody who had a 2 per cent cut, they had certainly made up for it in many other ways.

I think it is damning, although a constructive comment was offered again this year, that the Government has not been able to handle the issue of Comcare. Clearly, there have been significant increases in Comcare fees. Quite a number of the people who appeared before us recognised and accepted that there were problems with our relationship with Comcare, and the increased fees that Comcare were charging. Whether the answer is to allow departments to go to private enterprise or not is a question that I think still remains to be answered. The evidence presented to us would appear to indicate that that would be the case, that we do require some competition; but we must be very sure, if we go into that competition, that the competition with Comcare offers the same sort of rehabilitation, in particular, as Comcare offers for the same money. Those issues still need to be examined.

Madam Speaker, there are many areas where this committee has been constructive, and there are just as many areas where the Government can consider something damning. One area where we have made constructive comments, I think, and the Government ought not take it as damning, is recommendation No. 25, which says:

. the Government respond expeditiously to the Transport Regulation Study and urgently consider radically changing the way in which motor vehicles are inspected in the ACT, by closing at least one Testing Station, following consultation with the relevant unions.

That is a constructive comment. The issue was raised during the Estimates Committee process and evidence was presented there. We also heard of this study at that point. I think that that is a constructive statement. Expenditure of some \$3m of the taxpayers' money has been identified, for which we can show very little outcome. It was appropriate to make that recommendation to the Government, and in no way does it indicate that the Government has been negligent. From their studies they are coming to the same style of conclusions, although their conclusions may be slightly different.

Madam Speaker, recommendation No. 29 says:

. . . the Government extend and expand the Numeracy and Literacy pilot program to a permanent program with appropriate growth funds.

Clearly, the committee considered that this initiative of the Government was a positive initiative. We feel that it needs to be taken even further. Therefore, I consider that a constructive comment.

Recommendation No. 31, Madam Speaker, is about health. It says:

. . . where expenditure reductions are foreshadowed, that the Minister for Health provide the Committee with full details of where and how the reductions will be achieved.

The committee clearly indicated to the Government last year that that was what was expected, but we still have not seen that. I look forward to being able to see that as part of the second section of the Estimates Committee process when we look at annual reports. Similarly, Madam Speaker, the committee recommended:

. . . where increases in health expenditure are proposed that the Minister for Health provide the Committee with full details of where and on what additional expenditure will be made.

That is a reiteration of the recommendations made last year. That is the thing that I find frustrating, and that is the thing that I consider most damning of a government - that we have to come back the following year with almost identical recommendations simply because they have been ignored, yet the commonsense of them can be seen. If we were picking on the Government in a political way, purely for political point scoring, I might be able to see an argument; but in each of these cases it is clearly about public expenditure. It is clearly about the best way to ensure that our money is spent in an efficient and effective way.

Finally, Madam Speaker, there is this constructive comment, and again it is a reiteration from last year:

. . . the Government ensure funding for the Health Promotion Fund is at least 5 percent of the revenue raised by the Tobacco Franchise Fee.

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I accept that that, of all of them, could be considered to be a debatable item as much as a damnation of the Government. This report, Madam Speaker, is damning of the Government in many ways, but it is constructive. It is damning of the Government where they have failed to respond when, clearly, they have had the opportunity to do so. I think that this report should be quite an embarrassment to the Government.

I will add one final comment, Madam Speaker. I hear various members talk about the fact that the Estimates Committee was dominated by the Liberal Party, and that was true until Mr Westende resigned. Once Mr Westende resigned, there were only five members from the Liberal Party and there were five other members. Madam Speaker, considering the constructive nature of the report of the Estimates Committee - I think it is an excellent report - the Government should take it very seriously and respond to it in a very serious way.

MR CORNWELL (8.42): Madam Speaker, I was interested to hear Ms Ellis's comments at the beginning of her speech about the estimates process being biased. I do not believe, just as Mr Moore concluded in his speech, that that was the case at all. It was not necessarily dominated by the Liberal Party.

Mr Berry: Come on! I will give you a couple of references in a minute.

MR CORNWELL: Stop yapping over there, Mr Berry, because I am about to compliment you. You were one of the few Labor members who bothered to turn up when we were working out this report. Some of your colleagues were noticeable by their absence. I do not know whether that is a result, Madam Speaker, of factional brawling. Maybe a few of them decided that they were not going to show up. I suggest, Chief Minister, that you control some of your troops. Obviously, they were not prepared to come along and do the hard work that is involved in the Estimates Committee. Therefore, if anybody should be condemned for what may have turned up in this report it is the Labor members, because they failed to attend and to work through the recommendations in this report.

It is interesting that there is no dissenting view in this report. We heard a lot of talk by Mr Berry, but we did not hear any talk from Ms Ellis or Mrs Grassby about dissenting. Mr Berry mumbled that he was not going to agree with any of this report, but I do not see any dissenting report in this Estimates Committee report. Perhaps it indicates that, secretly, Mr Berry, and perhaps Ms Ellis and Mrs Grassby - I do not know - agree - - -

Mr Kaine: Agree with it.

MR CORNWELL: Agree with it. Indeed. Thank you, Mr Kaine. Perhaps they agree with it but are not prepared to put it in writing. We all know just how ruthless the Labor Party factions are. The point is: If you did not like what was being written, why did you not say something about it in writing and put it into this report? If you would like an adjournment while you lot caucus and sort out an answer to that, you are most welcome.

Mr Kaine: They could do what they did before and blackball all the committees.

MR CORNWELL: There is that possibility. The fact of the matter is that there is nothing in writing in this Select Committee on Estimates report on the Appropriation Bill 1994-95 which indicates that any member of the Labor Party dissented from what is in here. There is nothing in writing, and I suggest that you all stand condemned for that.

Ms Ellis spoke about respect and intelligence, and she suggested, I think, that she did not get it. Neither did I, and I suggest that the people of the community did not get it either. I would like, firstly, to refer to an exchange that is set out on page 38 of the Estimates Committee report in relation to the Housing Trust and the Office of Rental Bonds. There was an exchange between the Minister, Mr Lamont, and me. I read from paragraph 4.92, where Mr Lamont said that at the time I was offered a full briefing by his officers in relation to the transfer of the bond from the Office of Rental Bonds back to the trust without necessarily passing through other people. In relation to the success of that method to date, I questioned whether I had been advised. The matter was left there. I would like to record a letter of 22 August from Mr Lamont as Deputy Chief Minister, in which he states:

I have noted the contents of your media release of 14 July 1994, in particular, your statement you were not advised of this new system until the Estimates hearings in June 1994. Although I previously understood that you had been briefed, I apologise for this oversight.

I thank you, Mr Lamont, for advising me of this. I would hope, frankly, that this situation does not happen again. I am not blaming you; I am saying that I would hope that that would not happen again, because I do not regard that as a very satisfactory method of keeping your Opposition spokesman advised of these things and I do not think it does very much credit to the officers of your ACT Housing Trust.

I am also concerned about another matter. I mention this to the Minister because I would be interested to hear what he has to say later. At paragraph 4.95 of the report we refer to chasing vacated arrears. The Minister said:

... you have also got to understand that the information which is provided to Laurens -
the company that is collecting these arrears -

did not include information which could assist Laurens to trace the debt, ie, the forwarding address, dates of birth, as this information was not previously maintained by the Trust data base.

Mr Lamont: Yes, vacated arrears. People often do not tell you where they are going.

MR CORNWELL: Minister, you will have the opportunity to respond to this. I would suggest that this is a fairly serious situation. People apparently do not bother to keep adequate records. I would hope to get an assurance from you, Mr Lamont, that that has now been corrected and that we will be getting more accurate information.

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The wilful damage question in relation to the Housing Trust is even more farcical. In spite of the fact that they have been chasing up wilful damage, it has been done with a blunderbuss approach. That is the best way I can explain it. Whether or not you are a tenant of the Housing Trust, the blunderbuss has been fired at you. We have had numerous phone calls, Mr Lamont, from people who were never Housing Trust tenants but who have been getting bills. We have been getting phone calls from people who were involved with the trust in terms of building fences between properties, et cetera. The whole thing has been a total shambles. The reason why it has been a total shambles has nothing to do with Laurens and Co., who are, in fact, the debt collectors. It is the fault of the trust because it has inadequate records. I would suggest to you that it has inadequate records because, frankly, nobody gave a damn about the fact that \$2m in public funds was outstanding in arrears for wilful damage. Nobody bothered to chase it up. That is a scandalous comment, I accept. It is a scandalous indictment of the ACT Housing Trust. Frankly, Chief Minister, if I were you, I would talk to your Minister for Housing and suggest that he fix it, just as I understand you spoke recently to other people about the planning problems that exist in this Territory.

I would hope that we can get a satisfactory response from this Estimates Committee process, Mr Lamont, as to what is happening in relation to the Housing Trust. I would hope, further, that we do not have decent people, trust tenants or not, being harassed for debts that either they do not owe or they offered to pay, and, because of the incompetence of the trust, were never asked to pay.

I turn briefly now to the question of education. Again I do not find much on which to compliment the Government. I was disturbed about the Montessori School. This is set out at paragraphs 4.135 and 4.136. As Mr Wood knows - there is no recommendation about this - I was unhappy about the conflict in replies that appeared between May and June - in other words, within one month - in relation to the condition of the Montessori School's property in MacGillivray Street, Yarralumla. In May I was told that there was nothing wrong with the property; yet in June, when the budget came down, \$300,000 was given to the Montessori School to relocate to Yarralumla Primary because of the condition of the MacGillivray Street property. I still have not had, in my opinion, an adequate response to that situation.

MADAM SPEAKER: Mr Cornwell, your time has expired.

MR CORNWELL: I conclude, Madam, by saying that I believe that much of this Estimates Committee report leaves the Government in an embarrassing situation. As we are approaching an election, I am sure that you will hear a lot more about this.

MR BERRY (Manager of Government Business) (8.53): Madam Speaker, Ms Ellis talked about the Estimates Committee process and drew attention to some of the problems with it. I heard Mr Moore and Ms Szuty defending the numbers on the committee, saying that the Liberals did not really dominate it because there were, after all, two Independents and three Labor people there. The fact of the matter is - I can add up -

that five is more than three, and there were seven people who were non-Government members. I do not know that too many of those seven would bestow a lot of praise on the Government. Those are the facts. As well, the process has to deliver something for the people of the ACT.

I give credit to the Liberals. I think they worked the Estimates Committee process in their favour fairly well. I give credit to Ms Szuty because I think she did a lot to soften some of the more outrageous things that they attempted to do. I note that Ms Szuty was a little bit sensitive to a letter which appeared in the *Canberra Times* above my signature. But those were the facts of the matter. Everybody over there knows and understands that I opposed this report, and I indicated to members all the way through the process that I would be having a few words to say about it because of some of my concerns over it. But I will say that Ms Szuty deserves some credit for watering down some of the more outrageous claims which were made by the Liberals in their submissions to the committee.

Mr Kaine: Which bits did she water down, Mr Berry?

MR BERRY: I am not going to waste the time of the Assembly working through all the outrageous claims that were made by the Liberals, because I am sure that you would not give me the number of extensions that I would require to do it. I have better things to do with my time, as well.

I heard some discussion about how the Liberals got in there and did the right thing. At the time when the report was about to be finalised, at 10 o'clock in the morning, as I recall, Mrs Carnell had to go somewhere and we were labouring over some points. Somewhere between 9.30 and 10 o'clock Mrs Carnell said, "If we are not finished discussing these matters by 10 o'clock, I will move a motion to endorse the report, whether you consider it or not".

Mr Moore: That was because we were there at 8.30 and you did not arrive, nor did any other Labor member arrive, until half past nine.

Mr De Domenico: Why don't you tell the whole truth?

MADAM SPEAKER: Order! Mr De Domenico, would you desist from making that interjection. Could we have some order.

MR BERRY: I also remember the valiant efforts of the chair, Ms Szuty, to contain Mrs Carnell when she was pursuing a hypothetical. Mrs Carnell became quite agitated about the issue because she had been pulled into gear a couple of times, and she has never been one who likes that sort of thing. Then I noticed a flurry across the other side of the table, and all of a sudden there was - - -

Mr Humphries: On a point of order, Madam Speaker: I do not know whether you should rule on the question of members discussing or divulging what goes on - - -

MR BERRY: This was in public hearing.

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Mr Humphries: No, this was not in public hearing. This was during a private hearing. I think, Madam Speaker, that it is fair enough to report what happened in a public hearing. After all, everyone was present. But to report on the private deliberations, even if he does have a somewhat strange memory of them, is a little bit improper, given that those committee hearings do take place in private.

MR BERRY: Madam Speaker, I am - - -

MADAM SPEAKER: Mr Berry, just wait a minute. Let us give the Clerk a minute to check the precedents on this matter. I will then proceed to give Mr Humphries a response. Otherwise it may be deemed to be discourteous.

MR BERRY: How about if I drop the issue and do not put anybody to any trouble? All I am trying to do is draw attention to the efforts of the chair in containing some of the enthusiasm of the Liberals opposite in their pursuit of a political point or two.

MADAM SPEAKER: Thank you, Mr Berry. Proceed.

MR BERRY: I congratulate her for not allowing Mrs Carnell to get away with those hypotheticals in the public hearings.

We come now to some of the recommendations. I think that, if you look at the language which precedes many of the recommendations, you will see that there is so much rhetoric. I think Mr Moore was saying that it was a report that could be critical of the Government and could be positive at the same time, or something like that. Of course, he said in muted tones that everything was okay in the report except for something that might be a little bit questionable, and I think he was referring to health promotion recommendations.

Mr Moore: No, not at all. I am very comfortable with everything that is in the report. Everything that is in there is okay.

MR BERRY: Throughout it there were attempts to blacken Ministers. Take the issue of the time lost through industrial disputes. Very clearly, there was an attempt by the Liberals to blacken the Minister responsible for industrial relations. Fortunately, members were able to turn that around. It was an attempt by the Liberals to misinterpret what Mr Lamont had said. At paragraph 4.10 on page 21 of the report, the committee went on to say:

The Committee further notes that these figures could be subject to different interpretation, the ACT recording the fourth highest number of working days lost per thousand employees in 1993.

What Mr Lamont had said was true; but earlier the Liberals had tried to create another impression.

One other area which was of concern to me was the refusal by some of the committee members to accept their own frailties in relation to certain matters. The one that I can draw attention to which brings this into focus is in paragraph 4.13 on page 22. It says:

The majority of the Committee recommends that:

. . . the Government proceed to ensure that multi-skilling of workers, across demarcation lines, is fully implemented wherever practicable ...

That is a sensible recommendation. There is nothing wrong with that, because the practicality of these things is something that has to be worked out in the workplace. But then it goes on to say:

. . . the Government should, as a matter of urgency, remove and change any Industrial Relations practices which prevent substantial cost savings to be made, especially those practices which purely involve demarcation disputes between different unions.

That is a silly recommendation.

Mr De Domenico: It is a very sensible recommendation.

MR BERRY: It is a stupid recommendation because - - -

Mr Cornwell: Where is the dissenting report, Mr Berry?

MR BERRY: If you look at the top of it, you will see that it says "The majority of the Committee". That means that there were some who did not agree.

Mr Cornwell: But how do we know that one of them was you?

MR BERRY: If you ask me, I will tell you.

Mr Cornwell: There is nothing in writing to suggest that, Mr Berry.

MR BERRY: It was a silly recommendation which really went to the ability of the committee in some respects to absorb sensible information and then reflect it in their recommendations. I do not think it has been the case in this one. It makes a recommendation which cannot be endorsed and cannot be implemented. In the industrial relations arena you just cannot move unilaterally, and that is what the recommendation says that the Government ought to do. We will probably hear more from the Minister for Industrial Relations in relation to that matter in due course. (*Extension of time granted*)

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One other matter that I would like to talk about is the time that the committee had to deal with these matters. We had a compressed timeframe. I have some sympathy for the chair of this committee, because there was a lot of work that had to be done in a short timeframe. It also meant that there were demands on people in the committee if they were to challenge some of the proposals which were put forward by the Liberals and others. In relation to one of those, they talked about health savings. They went on to talk about the Andersen report and duly recommended:

. where expenditure reductions are foreshadowed, that the Minister for Health provide the Committee with full details of where and how the reductions will be achieved.

That is a very nice recommendation, and I hope that the Minister can conform to it; but I think that, if it involves industrial relations, the committee will have to understand, as was pointed out to them in the past, that quite often that is not possible because there are other people who have to be considered in the process, for instance, the relevant unions you have to deal with, in the development of savings options as part of the various wages systems with which the Government has to work.

I note the recommendation about the adolescent ward. I think that will be a good idea when the Government can fit it into its program. It is often very easy to grab at these sorts of recommendations and say, "Yes, that sounds like a good idea because people are calling for it"; but it really has to be considered against the background of the big picture, not only in health but also in every other area within this enterprise which we have to manage between us all. I also note the continuing misunderstanding or lack of understanding of, or refusal to understand, the issue of waiting lists. Last year the Estimates Committee linked demographic changes to waiting lists. You cannot do that. I think it has been explained before. I tried to explain it in the Estimates Committee. It does not seem that there is a complete understanding, or a willingness to understand fully, the waiting lists issue. It is not only about demographics; it is about the number of medical practitioners who place people on waiting lists. It also involves the effects of industrial action like the strike by the local VMOs that we unfortunately experienced. It also involves changes to administrative practices, which have not been clearly identified. That is a self-criticism, I suppose, in that one was not able to achieve the inclusion of that sort of recognition of the facts. Nevertheless, I think it is something that needs to be said.

There was one other matter which involved turning up information at the last moment. A rash of figures was supplied in relation to obstetric beds. As I recall, we had overnight to consider them before they were written into the report. Quite frankly, it was an impossible task. I cannot comment on the figures at this point. It would be silly for me to try to do so. That will be something the Minister will deal with in due course. But, with that mass of figures being dumped on the table, it is very difficult for any member of the committee to do that. I suspect that it was probably left until the last moment for good reason.

One other matter I would like to talk about is the hospice recommendation. It is interesting that, when you read the commentary on the hospice, you can piece together what happened. Luckily, we discovered that the figures which had been first mentioned by Mrs Carnell had never been justified. Subsequently, Mrs Carnell set out to justify them. On page 57 of the report, in paragraph 4.200, it says:

Typically the daily cost of hospice care was in the range of \$300-\$500 ...

Earlier, at paragraph 4.198, it talks about the Minister, or some health bureaucrat, saying that the daily cost is some \$300 a day, approximately. They are very similar figures and I do not think they are really a criticism of the Government, although they might have been set out to be in the first place.

MADAM SPEAKER: Mr Berry, your time has expired.

Mr De Domenico, before you begin, let me get back to Mr Humphries. Once the committee has reported, anything may be divulged. Under standing order 241, and under *House of Representatives Practice*, once the committee has reported, it is fine. I assume that a house can set its own standards of ethics or its own rules on it, but in terms of - - -

Mr Humphries: It is all open slather; all right.

Mr Kaine: Anything is fair game; so be careful what you say in in-camera hearings.

MADAM SPEAKER: No, not in camera. Just check standing order 241.

MR DE DOMENICO (9.10): Madam Speaker, I rise to talk specifically about the Estimates Committee report. We have just heard 20 minutes of what I thought was an attack on the process, an attack on the Independents, an attack on the Opposition and an attack on anything else that was going. It seems ironic that the attack was made by a person who was at the Estimates Committee for perhaps 40 per cent of the time. Let me get back to what the Estimates Committee report says. The first thing I need to say is that Ms Szuty and the staff need to be congratulated for the amount of work done. Those of us who attended most of the hearings of the Estimates Committee were perhaps sick and tired of reading and listening to things; but I can imagine the situation the staff found themselves in.

Let us get back to specifics. Mr Berry used the words "claimed", "claims" and "thoughts" all the time. What Mr Berry must realise, and he would have if he had been there for any amount of time during the estimates process, is that this report is an accurate reflection of exactly what happened at the Estimates Committee. It is a reflection of what was said by Ministers and public servants in response to questions asked by members of the Estimates Committee. It is not something that was fabricated out of thin air. It is an accurate and true reflection, and, if it is not an accurate and true reflection, as Ms Szuty and others have said, everybody who was part of that estimates process had an opportunity to say so. No-one did.

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Ms Ellis talked about the system. She talked about the process and said that she was concerned about the process. Why did she not say so during the Estimates Committee? She said not a word then. But, quite obviously, from then to now, things changed. When someone from the Labor Party stands up and says, "Estimates should not be about politics", I say, "What rubbish!". Everything we do in this place is all about politics. Let us be honest with one another, for heaven's sake. Of course it is all about politics.

Let us get back to specifics. Mr Moore referred, quite adequately and eloquently, as did Ms Szuty and all the other speakers who were there, to the Comcare issue. This is not the first time that we have talked about Comcare. I can recall standing up here and talking about Comcare last year, and the year before. We got the answer from the Chief Minister, as reflected in the Estimates Committee report, that she had had conversations with senior people in Comcare, and there was some sort of satisfaction that we are being charged a fair enough premium based on what was said by Comcare to be happening in the ACT. I am not prepared to accept that because, on the other hand, we had people like Mr Guild, from the Department of the Environment, Land and Planning, suggesting that the only reason why his department was not seeking compensation insurance elsewhere was that the Government had issued a policy directive that he was not allowed to do so.

It was not only Mr Guild. We had the ACTEW people suggesting that they were getting a better deal some years ago when they self-insured. They are not going back to that sort of situation, once again, because of Government policy. That is one area where the Estimates Committee has said time and again to the Government, "Please look at it and fix it". It has been two years now. We still have the same problem. We will be here again next year if this Government is still in office, which I doubt, and we will be talking about the same thing. That was one area.

Let us have a look at issue No. 2, the Central Coordinating Group versus the Government Business Enterprise Coordinating Group. You will recall, Madam Speaker, that the GBE Coordinating Group was the rabbit that was pulled out of the hat by Mr Lamont on the eve of the debate on the public service Bill in order to get the thing through. Everything was going to be hunky-dory because he had convinced certain unions that, with this newly established Government Business Enterprise Coordinating Group, everything was going to be all right. That is fine. Members of the Estimates Committee at that stage were prepared to accept the Minister's explanation. So we asked him how this group was going to work; whom it was going to report to; and what were its guidelines. We still have not got an answer. So the Estimates Committee, quite rightly, reported that we need to know how this important system of government is going to work. Was that a claim? Of course it was not a claim. It was an accurate and true reflection of what happened at the Estimates Committee.

Mr Berry talked about demarcation disputes and unions. Once again, if we turn to paragraph 4.13 in the Estimates Committee report, we find that this was all about the situation where two unions happened to be having a stoush as to which of their members were allowed to operate certain equipment. It was said during the Estimates Committee meetings that, if this demarcation dispute was not going ahead, there may be some substantial economic savings to the Territory. Of course all members of the Estimates Committee are concerned, and ought to be concerned, about points like that.

So we asked the question. We were not satisfied with the responses given to questions that we asked. Therefore, we expressed concerns and we made certain recommendations to the Government. I think that is a very fair and equitable process.

Let us look at ACTION buses. Mrs Carnell talked about ACTION buses. When you are told by senior bureaucrats that the ACTION buses are expecting a downturn in patronage over the next year, of course members of the Estimates Committee are concerned. We are spending \$1m a week subsidising this ACTION bus system, and the very people that are running the bus service admitted to the Estimates Committee that, whilst the population of Canberra grows, there are fewer and fewer people projected to use ACTION buses. So of course the Estimates Committee was concerned and asked certain questions. Once again, that was a true reflection of exactly what happened in the Estimates Committee.

Mr Moore mentioned motor vehicle testing. Madam Speaker, I can recall the Liberal Party prior to the last election campaigning very strongly, based on figures and statistics it had got. At that stage, at the end of 1991, we were called all things under the sun - economic rationalists and all sorts of things. Now we have a situation where a Labor government is suggesting that they have seen the same evidence themselves and know that they need to do something about it. We all agree with them; they need to do something about it very quickly because, as Mr Moore quite rightly said, there is a predicted \$3m saving. That just happens to be another VITAB payment. When we acknowledge that there are areas where we can save our ratepayers some money - and, by heavens, they need something back in their pockets, because everything has been coming out of them in recent times - of course we should ask questions and we should expect an honest and true reflection. Once again, this report is a true and honest reflection of what happened.

The sixth area that I would like to talk about is the wheeled garbage bins. Once again, it was a situation involving a union. The Estimates Committee, quite rightly, questioned various government public servants, saying, "Did certain things happen?" and, once again, we were not satisfied with the answer that was given to us. In fact, we are making a very strong recommendation that nobody in this Territory, whether they come from the union movement or whether they come from the business community, ought to be placing undue pressure on governments to do anything. That is what we would like the Auditor-General to look at.

Madam Speaker, in summary, in just those six areas that I was particularly concerned with, I thought the report of the Estimates Committee reflected exactly what happened during the hearings. If people stand up in this place and suggest that the process is flawed, I suggest that those people are criticising the process because they do not like what they see. That is fine. You have that option if you do not like what you see. But what we are saying is that they do not like what they see because what they see is what this Assembly believes commonsense should be all about, and that is this Estimates Committee report.

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On the other side of the fence, we have ideology. A careful scrutiny and examination of the Estimates Committee report shows that time and again answers were given, by Ministers in particular, suggesting that the only reason why things were or were not done was that it was Government policy. One of the classic examples was the glib way in which Mr Lamont, I recall, dismissed recommendations made by the Industry Commission, as if to say, "No matter what the Industry Commission says, if it disagrees with our ideology and our policy, it must be wrong, and it shall not be done. Throw away commonsense, throw away sensible debate, because we shall not be moved".

Mr Lamont: That is not what I said.

MR DE DOMENICO: It is. Mr Lamont should go back and read what he said. That is my recollection.

Mr Lamont: I have; and you have misquoted it again, like your colleagues misquoted.

MR DE DOMENICO: I look forward to Mr Lamont's contribution later on, Madam Speaker.

For people of the Labor Party to stand up in this place and criticise process is a complete nonsense and complete humbug. This Estimates Committee worked long and hard. Once again, I praise Ms Szuty for her successful attempt to water down certain phrases. Yes, it did happen. Of course it is a political process. It will always be a political process. I am sure that, if members opposite were on this side of the house, they would use it perhaps more rigorously and in a more blatant political way than we did. At least I can say this, Madam Speaker: Members on this side of the house and Mr Moore and Ms Szuty were there for 99.9 per cent of the time, which is more than can be said for the members opposite.

MS FOLLETT (Chief Minister and Treasurer) (9.20): Madam Speaker, I present the Government's response to the report by the Select Committee on Estimates on the Appropriation Bill 1994-95.

I would like to thank the committee for its examination of Government expenditure and revenue estimates for 1994-95. I would also like to express appreciation to Ms Szuty for her role as chairperson of the committee. The positive contributions by members to the process of reviewing the annual budgets is welcomed by the Government. We have made a very firm commitment to ensure that every possible assistance is provided to the Estimates Committee in fulfilling its responsibilities. Indeed, members will have observed over the years of operation of this committee that there has been an increasing improvement in the range of information provided and in the timeliness of that information. It is certainly my view, Madam Speaker, that the committee is entitled to full and adequate information to assist it in its inquiries. I do apologise if that did not always seem to be the case in this particular Estimates Committee process.

However, I believe also that the committee, and especially its chair, have responsibilities. I believe that one of those responsibilities is to deal fairly and with dignity with all their witnesses. I do not believe that this was the case in relation to Mr Faichney. He was harassed. There is no doubt about that. He was harassed by Mr Humphries in the course of Mr Humphries engaging in what was a political stunt. In my view, it is up to the chair of the committee to maintain control of the committee and to ensure that this does not occur. What kind of a message does it send to other public servants and other potential witnesses when they see this happening to one of their number? I realise that it was not an easy task for Ms Szuty, especially in view of the extremely sustained and vociferous attack that was mounted by Mr Humphries.

I would like to turn to some of the particular points that have been raised in the course of the debate this evening. First of all, I turn to one of Mr Humphries's points. I can advise Mr Humphries that the total revenue from business franchise fees on petroleum was \$25.65m in 1993-94, compared to a budget estimate of \$26.2m. That is for all petroleum business franchise fees. That variation of \$0.543m is well within the normal level of variation expected. Indeed, I have been advised by Treasury that there was a timing issue which did affect the final result. There was a very significant payment made immediately after the close of the ledger on 30 June. In particular in relation to the diesel fuel receipts, my advice is that they are in line with expectations.

Madam Speaker, I would like to refer to some of Mr Moore's comments. He is not here. He made the comment that the Government has treated the Estimates Committee with appalling affront. That is simply not true. Over the years, we have accepted the vast majority of estimates committees' recommendations. Mr Moore raised the issue of performance indicators. We agree that we need to continue efforts to improve performance indicators. This is not a unique situation in the ACT; far from it. Madam Speaker, all governments recognise the difficulties with performance indicators. The ACT is participating with the Commonwealth and all of the States to improve indicators of performance, efficiency and effectiveness through a process that is being chaired by the Industry Commission. We will also, of course, fully support the Auditor-General's review of performance indicators. I think we have achieved a great deal of improvement in this area, particularly with the Canberra Institute of Technology, with improved indicators of maintenance of training effort, and we will be extending that to other programs as well.

Mr Kaine made some comments on underexpenditure. I would like to respond by saying that the budget performance was well within the tolerance limits that all governments, through the Australian Loan Council, agree to. That tolerance is 3 per cent of revenue. I think it is very important to look at the reasons for the underexpenditure. On the capital side, as members are well aware, many of the delays in expenditure have been totally beyond the Government's control. For example, the expenditure on the Magistrates Court and on the hospice has been held up by National Capital Planning Authority considerations, to put it politely. There have even been some delays caused by the PDI Committee reviews. On the recurrent side, the underexpenditure was \$20.7m. That represents savings with future benefits to Territory budgets. I hope that Mr Kaine and others are not suggesting that we should go on spending up to the maximum limit simply for the sake of it, so that we can say that the budget was balanced. I will not do that. I will take the savings if they are available.

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Mrs Carnell, in her comments, made some remarks about the budget presentation and her extreme difficulty in understanding it. All I can say to Mrs Carnell is that many other people did understand it. In fact, the budget presentation does conform to uniform national standards and it has been subject to scrutiny by the Loan Council. Under that kind of scrutiny the ACT budget has fared extremely well. We have also achieved a high credit rating - our AAA credit rating, which you never hear the Liberals talking about - that is the equal of that of any State in Australia. It absolutely refutes the suggestion that this budget is impenetrable or that something is hidden. Obviously, people who have a will to scrutinise this and who have the capacity to do so have done so and have come out with a favourable impression.

One of the speakers also made comments about the casino premium and the recommendation by the Estimates Committee that interest be added to that premium. I would put it to the Assembly that that has effectively been done with the additional \$2.3m that the Government has allocated through the capital works program for the Playhouse theatre. I think that is a generous addition to the casino premium and one which the PDIC had the opportunity to comment on. They apparently agreed with it. There have been delays in the construction of some of the casino premium projects. Those delays, for the most part, have been caused by our commitment to proper consultation rather than by any unilateral action on the part of the Government. I believe that consultation is well worth while and will lead to better outcomes for the community.

Again, the Liberals seem to be arguing for spending the money just for the sake of getting rid of it. I will not promote that. I believe that the community is entitled to express a view through a proper consultation process, and that is what they are getting. As to the suggestion that the casino premium is in some way an electioneering or pork-barrelling exercise, I would remind members that the break-up of that premium was the subject of this Assembly's consideration, which was endorsed by the Government. It was not the other way round. So you can all take the credit for it, and I am happy to share it.

Madam Speaker, I return to general comment on the Estimates Committee report. It is clear that the Government itself has devoted a great deal of resources to providing information to the committee to assist it in its inquiries. It is no small measure of the value of the Estimates Committee process that the Government has consistently adopted and endorsed the vast majority of the committee's recommendations and will do so again this year. The Government is pleased that the committee has drawn to our attention such a range of issues, which will assist in maintaining the good government of the Territory. Our response supports all but seven of the recommendations. So, of the 37, we are supporting 30. I will not detail all of those recommendations as they are outlined in the response; but I would like to take the opportunity to comment on some of the general issues raised.

The committee has provided recommendations which, when adopted, will assist in further improving public sector accountability. I accept that there has been a developing process since self-government in terms of accountability. This includes the separate scrutiny of the 1993-94 budget outcome, inclusion of transitional information in budget documentation during the move to government finance statistics, and reference in annual

reports to recommendations of the Auditor-General. The standard of public sector financial reporting in the ACT has improved significantly since self-government. The Government has also invested heavily in the improvement of financial management systems in the current budget. We have foreshadowed further investment in the forward estimates. This will enable concerns expressed by the Estimates Committee to be progressively addressed.

The committee drew to the Government's attention specific issues relating to health, education, sport, justice and transport. Most of these recommendations will be implemented, and I am sure that all members will see the benefits of these actions in the future. The committee also recommended improvements in the way the Government does business in relation to workers compensation, the supply and tendering agency and changes in work practices. The Government welcomes these recommendations. Indeed, we support them. (*Extension of time granted*)

Debate interrupted.

ADJOURNMENT

MADAM SPEAKER: Chief Minister, it is 9.30 pm; so I have to propose the question:

That the Assembly do now adjourn.

Mr Berry: Madam Speaker, I request that the question be put forthwith without debate.

Question resolved in the negative.

ESTIMATES 1994-95 SELECT COMMITTEE Report on the Appropriation Bill 1994-95

Debate resumed.

MS FOLLETT: Madam Speaker, the earlier presentation of the 1994-95 budget received bipartisan support from this Assembly. Bringing forward the budget placed pressure on all areas of the Government, and I appreciate the cooperation of the Estimates Committee in meeting the changed timeframe. The early budget allows the Territory to benefit from greater certainty and gives program managers earlier notice of policy changes to enable effective and timely implementation. Importantly, it gives community groups an early indication of the Government's funding intentions. The business sector will also benefit from the early indication of budget policies.

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Madam Speaker, the early presentation of the budget also enable the making of more systematic scrutiny of budget estimates incorporated in the budget documentation and subsequent review of budget performance incorporated in financial statements and annual reports. The Government has previously indicated its support for the proposal to establish a committee to examine and report on 1993-94 agency outcomes. Annual reports and audited financial statements will be provided to the Assembly in September. I am pleased to note that this is earlier than the Commonwealth and State governments will manage. I hope that you are all listening to this. It reflects the Government's commitment to improve the timeliness and relevance of such reporting.

Madam Speaker, turning to the 1994-95 budget itself, I believe that this Government has continued its record of responding to the social concerns of the community while investing in Canberra's future through a responsible approach to financial management. Employment opportunities and social justice in the community are the Government's highest priority, and the budget funds a wide range of programs to achieve these objectives. Through the responsible approach adopted, the budget provides a significant boost for business in the Territory and adds to confidence within the business community. Notwithstanding the broad range of expenditure initiatives, recurrent outlays for 1994-95 are estimated to fall by 2.7 per cent, after allowing for price inflation and population growth.

This year's budget benefits from the responsible budget decisions taken in previous years to restructure and streamline service delivery in the Territory. The ACT has achieved an unequalled budget management record in recent years. Dramatically shifting targets set by the Commonwealth have seen us respond to unprecedented reductions in general purpose funding since self-government. The forward estimates show that we are well on target to complete the adjustment to State-like levels of Commonwealth grants without resort to taxation levels higher than the States' or to high deficits. The ACT's strong financial position means that future budgets can continue to respond to reducing Commonwealth funding and meet social justice objectives while maintaining an environment in which the community can have confidence.

Madam Speaker, I commend to the Assembly the Government's response to the Estimates Committee report on the 1994-95 budget.

Motion (by Mr Berry), by leave, agreed to:

That the debate be adjourned.

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

That so much of standing and temporary orders be suspended as would prevent the resumption of the debate being made an order of the day for consideration as a cognate debate with the executive business order of the day relating to the Appropriation Bill 1994-95.

**MAGISTRATES COURT (CIVIL JURISDICTION)
(AMENDMENT) BILL (NO. 2) 1994**

MR CONNOLLY (Attorney-General and Minister for Health) (9.35): Madam Speaker, I seek leave to present the Magistrates Court (Civil Jurisdiction) (Amendment) Bill (No. 2) 1994.

Leave granted.

MR CONNOLLY: I present the Magistrates Court (Civil Jurisdiction) (Amendment) Bill (No. 2) 1994.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

This Bill is part of the package of legislation relating to commercial and retail tenancies which is on the notice paper, and I hope that it will be subject to an in-principle debate during these sittings. After extensive and exhaustive consultation with property owner and tenant groups on the regulatory framework for commercial and retail tenancies in the ACT, I am proposing a consequential amendment to the Magistrates Court (Civil Jurisdiction) Act 1982 and I will shortly be proposing some further Government amendments to the Commercial and Tenancy Tribunal Bill.

Madam Speaker, there is a need to ensure that when a dispute is referred to the Commercial and Tenancy Tribunal the tribunal has exclusive jurisdiction in relation to the dispute. This means that the Magistrates Court should have no jurisdiction to hear such a matter. This amendment will be given effect in the Magistrates Court (Civil Jurisdiction) (Amendment) Bill (No. 2), which has been presented to the Assembly. In essence, under this Bill, the Commercial and Tenancy Tribunal will have exclusive original jurisdiction to hear disputes in relation to the proposed code of practice for commercial and retail tenancies. I thank members for allowing me to present this Bill somewhat out of order, so as to have the full package before members before the in-principle debate on the substantive legislation. I commend the Bill to the Assembly. I present the explanatory memorandum.

Debate (on motion by Mr Humphries) adjourned.

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STAMP DUTIES AND TAXES (AMENDMENT) BILL 1994

Debate resumed from 19 May 1994, on motion by Ms Follett:

That this Bill be agreed to in principle.

MR KAINE (9.37): Madam Speaker, the Opposition supports this Bill. It is a sensible Bill which recognises the fact that in this modern world not all transactions are carried out by writing things on bits of paper and that there are things called computers, electronic transfers and the like. It seeks, essentially, to recognise an electronic transfer as the record of a transaction and the means by which duty on such a transaction can be levied. I note that there is uniform legislation being enacted by all of the States and Territories and that 1 September is the start date for all of these pieces of legislation across Australia to be put into effect. Clearly, if the legislation is not passed within the next two or three days, the ACT Government will have trouble falling into line with the rest of the country. It is a sensible piece of legislation. On the face of it, although the Government does not claim it, I suppose that one could argue that, by using the records of electronic transfers as the basis for your duty collection, you may be even more efficient and more effective at collecting the duty that is payable than if you are relying on handwritten records. So there could well be a small bonus for the Government in adopting this system, which could make their revenue collection a bit more efficient. The Opposition supports the Bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Bill, by leave, taken as a whole

MS FOLLETT (Chief Minister and Treasurer) (9.39): Madam Speaker, I wish to move amendments to the Stamp Duties and Taxes (Amendment) Bill. I also seek leave to table a supplementary explanatory memorandum which accompanies the proposed amendments to the Bill.

MADAM SPEAKER: Is leave granted for Ms Follett to move those amendments together and to present the supplementary explanatory memorandum?

Mr Humphries: No, Madam Speaker, it is not. We have not seen these amendments. We have no idea what they are about. This has come out of the blue - - -

MS FOLLETT: I am about to tell you.

Mr Humphries: We would like to have a look at them beforehand. We have not even seen them.

Mr Kaine: Madam Speaker, I was happy to support the Bill; but I cannot see that I can support amendments that have only just this minute been circulated. I do not know what they are about.

Mr Humphries: They have not even been circulated yet.

Leave not granted.

Debate (on motion by Mr Berry) adjourned.

ADJOURNMENT

Motion (by Mr Berry) proposed:

That the Assembly do now adjourn.

New Assembly Member

MR STEFANIAK (9.40): Madam Speaker, may I use the adjournment debate to place on record a number of points. Firstly, I thank the speakers this afternoon for welcoming me back to this Assembly and also thank individual members who came up and gave me their congratulations during the course of the afternoon. No doubt we will get into the really serious stuff in days to come. I would like to put on record my thanks to a number of people during my 2½ years out of this Assembly. Firstly, I thank my party's preselectors - - -

Mr Lamont: The voters were the reason you were not here for 2½ years.

MR STEFANIAK: No, not at all. Certainly I thank my party's preselectors for nominating me for this position. I would like to make a couple of other points.

Mr Kaine: You are obviously the best woman for the job!

MR STEFANIAK: It is "Bill", not "Hill"; but no doubt Cheryl Hill and a lot of other Liberals will be here in February 1995. I would like to reiterate what I have said to the media and to my own party on a number of occasions. As I said in the First Assembly, probably the most important job of any person in this Assembly is to be accountable to the electorate, to represent the interests of electors and to do their best as a voice for those electors who come to see them with their immediate problems. That was certainly something I tried to do in the First Assembly. I have said on a number of occasions that my door will always be open. I have never sent away anyone who wanted to see me. That is certainly something that I will try to do in the remaining six months of this Assembly.

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I have met a number of interesting people in the interim, when I have been away from here. Whilst I certainly would like to stay here for quite some time, I think it is very handy to get out there into the real world and see how things are. I have had the pleasure of teaching a lot of very fine part-time TAFE students and meeting some very fine teachers there, whom I thank for their support. They are very dedicated people. They put in a lot of work. From what I have seen, certainly, the standard of education in our TAFE system is in very fine hands.

I would also like to pay tribute to an old adversary-cum-colleague, whom I have worked with now for well over a year. We might not agree with a lot of what he did and said in the First Assembly. I certainly would not agree, and still do not agree, with a lot of his political views. But I would like to place on record my appreciation for my old colleague Bernard Collaery, with whom I have had the pleasure of working over the last 18 months or so. Whilst I certainly do not agree with a lot of what he stood for and his political views, just as he would not agree with a lot of my political views, I have always appreciated working with him. He is a very fine lawyer and a very fine human being. I would like to express my appreciation for what he has done, for the assistance he has given me and for the interesting times we have had in a legal capacity, after having had some very interesting times in the First Assembly as well.

Madam Speaker, I look forward to contributing something to the remaining six months of this Assembly and I certainly hope to come back next year as well, with luck, after the February 1995 elections. I look forward to working with my Liberal colleagues, to supporting Kate and the team here, and also to working on the various Assembly committees on which I have been nominated to serve. Finally, I would like to place on record my appreciation for the work that my predecessor Lou Westende has done. I have been going through his stuff over the last couple of weeks, and I look forward to continuing a lot of the good work that he has started.

Question resolved in the affirmative.

Assembly adjourned at 9.44 pm