



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

18 October 1995

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

ABSENCE OF CLERK

MR SPEAKER: I wish to inform the Assembly that, due to the unavoidable absence of the Clerk during today's sitting, the Deputy Clerk will act as Clerk.

TIMBER INDUSTRY

MS HORODNY (10.32): I move:

That, in recognition of the fact that the plantation sector of the Australian Timber Industry are supplying the vast majority of our domestic timber, this Assembly calls on:

- (1) the Chief Minister to write to the Prime Minister asking him not to renew export woodchip licences and to put an immediate end to native forest logging;
- (2) the Government to cease purchasing any timbers or papers that are not recycled or sourced from plantations; and
- (3) the Government to ensure that no Government monies (including superannuation) are invested in companies that are involved in export woodchipping including Boral, Amcor, Daishowa, Gunns Ltd, Midway Forests Products, North Broken Hill, Queensland Hardwood Resources, Bunnings, Whittakers and their associated subsidiaries.

Mr Speaker, in the next week the annual woodchip licences will again be considered by Federal Cabinet. Over the last 20 years this issue has become one that has divided communities, caused much heartache and financial and social disruption, and led many tens of thousands of individuals to become active in protests, lobbying and letter writing.

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Individuals from all walks of life who would not normally be active have come out and been willing to be arrested to draw attention to the political stalemate that is the woodchip debate. Individuals who may not normally have been involved at such a level of protest have felt compelled to become involved because of the strong feelings they have about the injustice occurring in our native forests.

There is no doubt that the timber industry in Australia must be restructured, and be restructured now. It is economic madness to keep propping up one destructive sector of the industry at the expense of another, namely, the plantation sector, which is sustainable and does not impact in any way on the values of our native forests. The native forest sector of the industry continues to be subsidised in the form of low tree royalties and continues to devastate our forests and to perpetuate the myth of an industry which is sawlog driven and merely utilising waste by turning residue into woodchips. How can a sector of the industry which is ever shrinking, that is, the hardwood sawlog sector, provide an ever increasing amount of woodchips for the export market? It is not rational economics to continue subsidising this industry.

Numerous reports have underlined the extent of the financial subsidies in Tasmania, New South Wales, Victoria and Western Australia. The New South Wales Public Accounts Committee in 1991 looked at the issue of subsidies to the industry in New South Wales in the 1990-91 financial year and concluded that in that one year alone New South Wales taxpayers had subsidised the timber industry to the tune of \$16.2m. Similarly, in Victoria the Auditor-General's report of 1993 stated that Victoria was downgrading logs from sawlog quality to woodchip quality and was losing the State millions of dollars annually.

Here in the ACT we are affected by this level of subsidy because when the Commonwealth cake is cut up for sharing around the States and the States cry poor there is less money available for everyone. There is absolutely no doubt that we could implement in this country right now a transition strategy which, over a 12-month period, could stop the logging of our forests, transfer workers into existing plantations and start saving money immediately. To argue for the continuation of an industry which is responsible for the decimation of large areas of wilderness and responsible for driving many species to extinction, particularly those that have specific habitat requirements such as that provided in those ancient forests, and to argue for this industry to be supported, is ludicrous in anyone's language.

The "Australia's Plantations" report clearly shows that in a very short period, from two to five years, Australia's plantations will be generating all the wealth and all the jobs in Australia's forest industries - up to 45,000 jobs by the year 2000 - and most of that in regional centres. When the accumulated subsidy to this industry over the last several decades amounts to over \$6 billion it is simply madness to keep going as we are. The industry argues that jobs will be lost, but what is the real truth about jobs? Economists like Clive Hamilton have analysed the employment impact of woodchipping.

The truth is that employment in the industry has fallen from around 55,000 in the early 1970s to around 32,000 now, and continued decline is inevitable. Job losses have been due to industry restructuring in the form of greater concentration of industry ownership, the penetration of softwood, and the extension of labour-saving machines and methods. Unemployment in the industry has been due mainly to the commercial decisions of big timber companies, not the environmental decisions of governments. Employment in export woodchipping accounts for one per cent of jobs in forest product industries.

We must look at the timber industry as a whole and, of course, at the value we place on forests, and especially on wilderness. Only 2 per cent of the most productive old growth eucalypt forests are left in Australia and they are one of the most endangered ecosystems in the country. This industry has been logging unsustainably for many decades now. There is such a limited resource that even sawloggers are being driven to the wall because State governments have made long-term commitments to export woodchip companies such as Boral and Daishowa. This means that competition for an increasingly limited resource is once again favouring large companies over the small family-owned sawmills. The industry argues that it is okay; that it will all grow back. If a logging concession area has been logged by the industry for future pulpwood and not for future sawlogs, the harvesting regime will reflect this very clearly, which is why we see logging rotations happening in short cycles as low as 40 years in some areas, and the quality of the very dense regrowth can be described only as being closer to a plantation than the original ancient forest which it replaced. In other words, it does not grow back.

Here in the ACT we can feel very glad that those forests strictly within our borders are protected. However, the same forest ecosystem continues across the political border into New South Wales, where logging is relentless in the areas around the Eden chip-mill and where many thousands of arrests have occurred. In fact, more people have been arrested in the south-east forests of New South Wales than in the Franklin area. Many of the people arrested in the south-east forests - hundreds of people - have been Canberrans. People who were arrested in those forest battles came from all walks of life and included professors, housewives, builders, writers, artists, politicians, members of the clergy, public servants, and grandparents. As someone who has been involved in many forest actions and blockades over the years, I can tell you quite honestly that people do not make the decision to be arrested lightly. You can be sure that when they risk the possibility of going to gaol they think about it very carefully.

The second part of the motion, Mr Speaker, urges the Government to partake in a highly ethical consumer decision to ensure that government purchasing policy includes only the purchase of recycled or plantation paper, paper products, and timber. The Federal Government two years ago instigated a government preferred paper purchasing policy process which came to a standstill when the industry fought for the right to label forest derived paper on an equal basis with industry derived paper because they claimed yet again that forests were as sustainable as plantations. So the debate on the issue went back to square one because the Government did not stand up to the industry.

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This issue has been a political hot potato for over two decades now and is becoming increasingly so as the community realises that we have lost so much of nature in the last 20 years because of the ravages of woodchip-driven logging. Reliable surveys have shown time and again that the Australian community want to protect our forests and understand that existing plantations can supply all of our needs. What this means is that we do not have to begin planting plantations. Thank goodness for that, because we do not have the time to be starting on this alternative. We already have one million hectares of pine across Australia and almost 150,000 hectares of eucalypt plantations in the ground now. In fact, we already rely on these plantations to a very large extent and will increasingly continue to do so. The majority of our timber needs - sawn timber, plywood, veneers, medium-density hardboards and pulp - already come from plantations.

The Federal Government must take a strong stand on this issue and the ACT Government must act to send a powerful message to the Federal Labor Party, asking them not to renew export woodchip licences. Here in the ACT this Government must ensure that it does not contribute to this eco disaster in any further way, by implementing immediately a government policy of no further forest products and ensuring the continued viability of the plantation sector and the recycling industry. Further to that, we must not inadvertently contribute financially to the very companies which make a huge profit from a public asset which the overwhelming majority of Australians want protected. Woodchipping is dead. It costs us money, it costs us jobs, and is quickly costing us our remaining native forests.

MR BERRY (10.43): Mr Speaker, I have circulated an amendment to the motion which has been moved by Ms Horodny and I will deal with the amendment during the course of the debate. In the opening paragraph of Ms Horodny's motion she talks about recognition of the fact that the plantation section of the Australian timber industry is supplying the vast majority of our domestic timber. I think "vast majority" may be a little bit of an overstatement; but we have still to recognise it, and whether we like it or not there is harvesting of sawlogs from native forests. At the same time, I think that will continue, but there are many forces at work to reduce the consumption of those sorts of timber products. So, the first amendment that I would move would be to that first paragraph. I would argue that we acknowledge that there are forces working towards the supply of our total domestic timber needs from the plantation industry. I think that is a very important goal that ought to be recognised.

I also say in the amendment that this Assembly welcomes moves where, by the year 2000, no woodchip exports will be permitted from native forests except from areas covered by regional forest agreements. The Commonwealth is working with the States to establish these regional forest agreements, and that is an important national trust. I refer to a document headed "The future of our forest" from the forest task force. The range of Commonwealth obligations relating to forests to be assessed in the regional forest agreements includes National Estate values, World Heritage values, Aboriginal heritage values, environmental impacts and protection of endangered species and biological diversity. These environmental and heritage assessments will form an integral part of the development of a comprehensive, adequate and representative forest reserve system and the agreements reached on an appropriate management and monitoring arrangement outside these reserves.

I think we have to recognise that these regional forest agreements are going to form an important part of the national forest strategy in this country, and people are actively working down that path. It is also very clear that the aim of the Commonwealth is that by the year 2000 no woodchip exports will be permitted from native forests. I think welcoming that move is an important factor in this debate. Things are on the move. We have to recognise that the Commonwealth has allocated \$53m over the following four years to conduct regional forest agreements. That is not peanuts and I think it shows that there is a commitment from the Commonwealth to deal with the protection of our forests.

A key part of the amendment that I have circulated relates to the third paragraph, which says:

We believe, however, that in the interest of Australian jobs growth our national goal should be that no unprocessed woodchip be exported.

You just cannot switch off the industry, because a whole range of people are employed. I do not know whether the Greens have thought about this very much in terms of the shock on the industry. I share with them concerns about the future of our forests, but I know that people are working to protect them. I also have a great deal of concern about jobs and the communities out there who depend on the forest industry, and have done for a long time. I am advised that nearly 85,000 people are employed in Australia's forest industries. There are 11,000 people in the forestry and logging industry and 73,500 people in the forest products industry.

The number of people employed in forestry is diminishing because of the use of heavy equipment and those sorts of things. Of course, the purchase of heavy equipment usually involves purchases from overseas and that has an effect on our balance of trade. It would be better if more people were employed in the industry. If we can get to a point where there is no woodchipping and we can process our timber products in Australia, we can improve our employment base instead of exporting our jobs. That is why that particular issue is mentioned. I am concerned about this business. There are 73,500 people employed in the forest products industry and I think we can build on that. I think that is recognised.

So far as the ACT Government is concerned, we live in something of an environmentalist's paradise in the ACT when it comes to the issue of woodchipping, plantation timber and those sorts of things. It is never a great issue for us here when we compare what goes on here with what goes on in the other States and all the politicking that surrounds it, but I think the ACT Government should continue to pursue the issue of the purchase of timber products against a background of a desire to ensure that they come from plantations. That will not always be possible in the current environment, but I am sure that as time passes we will be moving towards it. It would be nice if we could get an undertaking from the Minister about some sort of regular reporting process to let us know how the purchasing arrangements of the Government are going in this regard. He may have some information that he can contribute to the debate, but that, I think, would be an important signal to members of this Assembly that the Government is serious about going down this path.

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These days, compared to the products that were used a decade ago, far more of our timber comes from plantations. Many of us who came here over 20 years ago will recall that the timber frames of our houses were all made from timber harvested from native forests. Some of it was brought all the way from Western Australia. Those things have changed now. The timber frames in our houses today almost invariably are from plantations. Some of the timber is imported, but there is a reduction in the use of timber from our hardwood native forests. Industries that depend on our hardwood forests have a particular problem because the plantation areas which provide hardwood products are much smaller than those providing softwood.

I want to go back to our native forests. Our tropical, eucalypt and paperbark forests make up about 16 per cent of the total, cypress pine about 10 per cent, rainforest about 6 per cent and eucalypt about 68 per cent. To give a bit of an idea of what has happened in our forests, 57 per cent of that which existed before European settlement still remains today. Much of the loss occurred because of land clearing for agriculture. I see from the information that I have received from the forest task force that 23 per cent of our native forests is in private ownership. That puts in place another dimension in relation to this debate. It is not always possible for the public sector to control what goes on in the private sector, but it can be done by regulation in some places. The area of State forest available for wood production is 18 per cent, which is a small area of the overall forests. Other State forests account for 12 per cent, crown land 26 per cent, and reserves 16 per cent.

This is a particularly complex problem and I think we have to be very careful about how we deal with it. I think that as a result of this debate members will have the opportunity to signal their concern over the issue and note that there have been moves, and are continuing to be moves, to ensure that woodchip exports are reduced. I think there is recognition, too, that if we process these products in Australia there will be more jobs here. We have to maintain the emphasis on the change in the way we export our timber products. If we are to export timber products we have to do it in a processed form because we have to create more jobs out there, and we have to create more jobs for our young. Mr Speaker, whilst Labor generally supports the principles enunciated in the motion moved by Ms Horodny, we feel that it would be far more appropriate in the present circumstances to amend the motion to include those words which have been circulated. I call on members to support the amendment.

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (10.54): Mr Speaker, Mr Berry said that this was a difficult issue and I would agree with him in that respect. The Greens have raised the issue in an attempt, obviously, to deal with this in the context of the renewal of those licences to which Ms Horodny referred when she rose. There is the issue, however, of the extent to which the ACT can or should be involved in that process of upsetting or buying into arrangements with respect to the national debate. I am not averse to taking part in a national debate where I think we have some contribution to make.

Our contribution in the ACT is obviously a very appropriate one in the sense that we can set an example. We have a forest industry in the ACT which I believe ought to be a model to which other States should aspire. I cannot pretend that that is because of sound management over a long period. I suspect that it is simply an accident of history in that the ACT is not in an area in which forestry was a large industry in the first place and the Federal Government decided that, over a period of time, it would establish a local industry for the Territory. Since 1915 there has been a local forestry industry based on plantations, and those plantations have returned a small but important yield to the ACT economy. At the moment the industry employs about 300 people.

Ms Follett: It is very small.

MR HUMPHRIES: It is fairly small. It could be bigger. It employs about 300 people and brings in about \$60m to the ACT economy each year, and that is a contribution which I think is worth developing. Of course, it is worth developing in the existing framework of the industry being based on plantations; an industry which does not rely on the felling of any old growth forests and which builds upon an economically viable base to produce an important return, both in terms of employment and in terms of overall return. I believe, Mr Speaker, that that is a model which other States could well employ to a greater degree.

People who have visited old growth forests in this country would be concerned about the way in which those forests have been logged for woodchipping. I have visited some of those places and I hope that all members in this place would be concerned that they need to be logged to sustain industry. Clearly, there is an argument, as Mr Berry indicated, about the employment base for people who are already dependent on the logging of those forests for a livelihood. Clearly, there is the issue of the extent to which we can readjust the parameters of those sorts of industries in a relatively short space of time. But there are also environmental values which, in my opinion, are threatened by the continued logging of those forests on a cyclical basis. The argument is put that those forests regenerate. Of course, wood is a renewable resource, the classic renewable resource perhaps; but the fact remains that logging on the scale that has been the case in this country has resulted in a significant number of changes to those forests, and those changes are not necessarily in the interests of those forests.

Mr Speaker, there is nothing inherently wrong with woodchipping. It is, in a sense, a convenient way to move small pieces of wood into a chain which results in it being produced into paper or cardboard, or flat panel building products such as particle board or MDF. The harvesting of native forests, however, to produce those woodchips is the issue of most controversy. In 1992 the State and Commonwealth Ministers from both the forestry and the conservation portfolios arranged for the development of the national forest policy statement. This was agreed to by all governments at that time and was signed on behalf of the ACT by Ms Follett, the then Chief Minister. That policy statement sought to defuse the native forest debate by a process that included the setting up of a comprehensive and representative forest reserve system, followed by a series of regional forestry agreements to ensure that all the values of the native forests in this country were available for future generations.

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To the extent that the statement was designed to defuse controversy, it could be said to have failed. In terms of preserving significant areas of our national forest heritage, I think, Mr Speaker, it could be described as at least a partial success, if not a substantial success. There are now hundreds of thousands of hectares of land which is reserved under that system from logging - the figure may be much higher than that - and that process has very much limited the areas that are available for old growth logging, and the process provides for a reduction in that area over a period of time. The Commonwealth and the States have since agreed that a process should be put in place to allow for the elimination of woodchipping from all areas of native forest by the year 2000, unless it is part of a regional forestry agreement that protects all the values of the forest.

I have no doubt that that does not satisfy some, and I take it from Ms Horodny's remarks that she is one of those people. I think, Mr Speaker, that it is an extreme position within this debate to expect that we should immediately move to cease that kind of woodchipping in the context of a very large industry based on a dependency on that kind of woodchipping. However, I believe that it is important for us as a community, as an Australian community, to move to the elimination of that kind of woodchipping at the earliest appropriate time. The elimination of woodchipping in most of the present woodchipping areas by the year 2000 is an appropriate step in that direction, I believe, and, in most senses, that is the earliest available date at which that target can be achieved.

Mr Speaker, as I have said, forestry has been a part of the ACT's economy since 1915. It has been based, during that period, on pine plantations, and that example is one which, as I have said, I believe other places in Australia should be following. The recent report by Plantations Victoria that Ms Horodny, I think, referred to said that we can achieve very high yields from plantations to achieve an end of dependency on old growth forests. I have to say that there is substantial alternative opinion about the direction of that report. There are some who would say that the report has been discredited for overestimating the potential yield from plantations in a way which was designed to suit the predetermined argument that there should be less dependence on old growth forests. Certainly, there is no lack of alternative points of view or alternative evidence in this debate. The report is correct, however, in saying that plantations will play a large role in the future, and that wood supply in this country should increasingly depend on that source. The only issue is whether they will be able to fully substitute for timber from native hardwood in the very immediate future. The softwood-based industry in the ACT is fully sustainable and operates as a commercial trust account within the Environment Division of the Land and Environment Bureau.

The national forest policy statement, Mr Speaker, will continue to be of controversy, but I believe that it is a balanced document which is supported by all the States and by both sides of the forestry debate, at least to some extent. The Commonwealth, I understand, will be releasing an overall wood and wood products industry strategy in November. The ACT Government has already been asked about its views about that strategy. The strategy has been built on the national forest policy statement and it deserves to be supported, in principle, by those with a long-term interest in the forestry debate and the preservation of old growth forest values. I hope, Mr Speaker, that when we choose to debate these sorts of issues, issues with a national context, we examine and understand the implications for our own industry and our own position as a government and as a community.

I think it is true to say that there are some implications of paragraphs (2) and (3) of this motion which would be unfortunate and which we need to think about very carefully. The ACT Government is moving very quickly towards a policy of encouraging the use of recycled paper and paper sourced from plantations. We said in our party policy that we took to the last election that we encourage the development of plantation forests in order to reduce pressure on old growth forests, and we have been negotiating with the private sector to assist with the establishment of new forest plantations in previously cleared areas in the Territory. We want to preserve natural resources in the Territory by taking steps to preserve declared nature reserves and to stimulate the creation of further Landcare groups, and to otherwise encourage the use of recycled paper and paper from plantations; but these things are not necessarily easy to identify as being sourced from that area and it needs to be carefully worked through as a strategy, which we are in the process of doing.

I also have concerns about the nature of the third paragraph of the motion. It is not clear to me what Ms Horodny means by her reference to ensuring that there is no government investment in these industries. Does she mean that we do not buy shares in those companies? Does she mean that we do not deal with those companies in any way, or something in between those two positions? It is very clear, for example, that Boral plays a very significant part in the economy of the ACT and I, for one, would be loath to sever all contact with that company. Doing so would certainly cost many more jobs than we would care to contemplate. Mr Speaker, I indicate that the Government supports the Opposition's amendment, and I hope that we can continue this debate on the basis that there is a need for us to act to protect old growth forests in the future.

MR SPEAKER: Mr Berry, would you formally move your amendment.

MR BERRY (11.06): Yes, Mr Speaker. I inadvertently overlooked moving the amendment so that people could formally speak on the matter. I therefore move the revised amendment circulated in my name, which reads as follows:

Omit all words after "the Australian Timber Industry are", substitute:

"working towards the supply of our total domestic timber needs.

This Assembly welcomes moves where by the year 2000 no woodchip exports will be permitted from native forests except from areas covered by regional forest agreements.

We believe, however, that in the interest of Australian jobs growth our national goal should be that no unprocessed woodchip be exported.

The ACT Government should adopt a policy of purchasing timber products that are recycled or sourced from plantations wherever possible."

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MR MOORE (11.07): Mr Speaker, the ACT does have a significant forestry industry, but it is a plantation industry. One of the positive aspects of Ms Horodny's motion is that there are some employment advantages and economic advantages specifically to the ACT, and I do not think that we should lose sight of those. It is appropriate for our Chief Minister to write to the Prime Minister, having the interests of the ACT at heart. It would be appropriate for us also to be conscious of the environmental advantage of those industries.

For years, Mr Speaker, we have heard people arguing that we should not stop cutting our native forests just yet; we should go on a little bit further and take a little bit more while we work our way to a solution. There has been a great deal of pressure from the logging industry in that way. Instead of working at alternatives, the logging industry has worked particularly hard in its lobbying practice at ensuring that they can continue the sorts of practices that they have been following for, I guess, the best part of 200 years in Australia. During our own election period, Mr Speaker, we saw the effect of that logging industry. Huge numbers of trucks were parked around Parliament House and, by and large, it appeared that they were allowed to remain there. I must put this qualification: If I were a police officer I would not want to be the one trying to moving them either. I realise that there were some difficulties, not only because of the size of the trucks but also because of the size of the drivers, on many occasions.

Mr Speaker, it seems to me that what Ms Horodny has put up is a perfectly rational motion. It does not need to be watered down. Having listened to our colleagues from the Liberal Party and the Labor Party, I think that, as usual, they are looking for ways to find a soft way through. When we are talking about the protection of our environment, particularly our native forests and the ecosystems in those forests, it is appropriate for us to take a hard line. That is what Ms Horodny's motion does, and I must say that I consider that entirely appropriate, and that is apart from the economic advantage to the ACT itself. That is the first point.

The second point, Mr Speaker, is the Government's purchase of papers. It seems to me, again, perfectly logical that this Government should be using its buying power in the most environmentally appropriate way. The suggestion of Ms Horodny in the motion is that the Government cease purchasing any timbers or papers that are not recycled or sourced from plantations. One would have to add "in as far as that is possible", because there will be circumstances where it will be very difficult to find that out. I think, however, that we have available to us information as to where that is sourced. In regard to paragraphs (2) and (3) of the motion, Ms Tucker or Ms Horodny indicated to me that there are lists available as to which companies are providing paper that is appropriately sourced.

This is similar in some ways, Mr Speaker, to a debate that we had at the beginning of the First Assembly in about 1990 in which we discussed whether we should be using recycled paper in our photocopiers. The Assembly determined - I do not recall whether we did this on an informal basis or whether we did it in the Assembly as a whole - that, where possible, we would buy paper that had been recycled. By and large, that matter was also a matter for the Government. I know that Rosemary Follett, as Chief Minister, at that stage gave a direction that recycled paper would be used by her government departments where at all possible. At the time there was a lot of argument. It was said that it was impossible because it would stuff up photocopiers and things would not work.

There were all sorts of arguments along those lines. When people were forced to use recycled paper in photocopiers and so on they found that it did work. We were able to buy the paper that we needed. That was a positive move from the then Labor Government. It was a far-sighted move in so far as it overrode some of those objections. There will always be objections to this sort of motion. There will always be people who will say, "No, it is not possible; we cannot do it", instead of thinking in a positive way and saying "How can we do it?". It is much easier to try to work out the problems.

I think in this case that Ms Horodny has rightly put up a motion that is designed specifically to say that it really is time to protect our native forests and our flora and fauna and through that process protect whole ecosystems. Mr Speaker, this is a sensible motion. It does not need to be watered down and I think that it should remain as put by Ms Horodny.

MS HORODNY (11.13): Mr Berry has moved that all words after "the Australian Timber Industry are" be replaced with the words "working towards the supply of our total domestic needs". Mr Berry said in his argument that he thought it was an overstatement when I said that the vast majority of our domestic needs are already supplied by the plantation sector. Mr Berry has not done the research in this area that I have; so, unfortunately, he does not know. Figures that I know to be true show that somewhere between 61 per cent and 65 per cent of our domestic needs in veneers, plywoods, medium-density hardboards, pulp and sawn timber are already sourced from plantations. That is a fact and I can table relevant documents if you need them.

Mr Berry also talked about regional forest agreements. He seems to be quite happy to rest on that as a process that will solve all our problems. This whole concept of regional forest agreements is fundamentally flawed. This is what the conservation movement is lobbying about right at this minute up at Parliament House. It is fundamentally flawed because it is about resource security, yet again. It is not about protecting wilderness. It is not about keeping large tracts of forest intact for the protection of our flora and fauna. It is, once again, about fragmenting and dissecting our last remaining areas of wilderness forest. It is about keeping an industry - a dying industry, I might add; a hardwood industry that is dying for its own reasons, because of overlogging and because of competition from the plantation sector which, for every reason, is a much more sustainable industry.

Because that sector is dying we should not be propping up that sector of the industry. That is the whole point that I was making in my speech. The plantation sector is viable. It makes economic sense. It does not disturb ecology; it does not disturb wildlife. The industry prefers it. You have uniformity of a product. For every reason, it is the one that makes sense, and it is where the future of the timber industry is heading. There is no doubt about that. The decision that we make now is whether we continue propping up a dying industry with taxpayers' funds or whether we move an industry that is hitting a brick wall anyway into plantations now.

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Mr Berry: But you cannot change 35 per cent of it overnight. That is the point.

MS HORODNY: Mr Berry says that we cannot do this overnight. Mr Berry, we have had 20 years of an export woodchip industry in this country which, from the very start, was not sustainable. If you read the literature, if you do the research, as I have, you will know that the evidence is not there. The resource assessment report that your Federal counterparts commissioned in 1991 states quite clearly that no logging in this country, certainly since World War II, has happened on a sustainable basis. It simply has not happened. Mr Berry, if you claim to be an environmentalist - which you have now lost all credibility on, I might add - you should know at least some of these figures that you are talking about.

Talking about "by the year 2000" is another problem. The year 2000 - five years away - is, again, five years of wasted economics, of propping up an industry that will die a slow death. You talked about \$53m. What did that \$53m refer to? You say that the Federal Government is putting up a process to look at these regional forest agreements and is putting in \$53m to facilitate that process. Why is that \$53m not being used to restructure the timber industry, because that is the work that needs to happen now?

Mr Berry: That is what it is - a restructuring of the timber industry.

MS HORODNY: No, it is not, Mr Berry. Again, if you knew the facts, you would know that that is not what is happening. That money is being used to prop up an industry in a sector of our ecosystem where it is not viable and where it is not producing money. In fact, it is costing taxpayers billions of dollars.

Mr Berry's third proposition is about unprocessed woodchip. He talked about Australia's jobs growth. Again, he has not done the homework. He does not understand that jobs in the industry are in plantations, not in the native forests sector. He says that no unprocessed woodchip should be exported. That implies that exporting processed woodchip could be a good idea. Again, that is a problem. If Mr Berry claims to understand anything about the environment he would know that a log that is going to a sawmill to be processed and to be exported has the same detrimental impact on forests as a log that is going to a chip-mill, and the economics are still very poor. The figures are not there to substantiate what you are saying, Mr Berry. We are no better off economically by your proposal than by being in the situation that we are in right now, which is a political stalemate. It is something that you, as a government, did nothing about when you were in office, and you should have. It is something that you are now proposing to, again, not do anything about. Yet at the same time you try to maintain a political distance from the Federal Government. You go to woodchip rallies and you think you are going to get political credibility on that basis. That is a problem, Mr Berry, and I think you really need to show your cards on this issue.

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (11.20): Mr Speaker, I can understand Ms Horodny's angst about this and her concern that there has been slow progress towards the reduction of reliance on old growth forests. She is right to say that this part of the industry that relies on old growth forests is a dying industry. She is right to say that the future of the industry lies in plantations. She is right to stimulate progress towards elimination of the old growth element of the industry. But I think she is wrong to suggest that her motion, which she says is designed to encourage that process, does not just bring down the shutters and say, "This is it; this is the end". That is not what we should be trying to achieve in this process.

Ms Horodny is urging us to write to the Prime Minister and say that he should not have any further export licences for native timber logging. He is unlikely to accept that advice anyway, if it is tendered. If he were to accept it, it would bring down the shutters on that industry straightaway. That is not the way that responsible legislators should behave. I think it is responsible to encourage a process of change, but not to be absolutists or extremists in the debate and pretend that change can occur instantly.

I think Ms Horodny would accept the argument that these things will require a very considerable adjustment on the part of the forestry industry. There are significant numbers of people who depend directly on those old growth forests at present. I accept her argument about needing to reduce that number, but at the moment they are dependent on that sector of the industry. I would hope that she would accept that it is responsible for us and the Australian community generally to cater for their needs and their employment base in the future. To immediately cease all export woodchip licences and put an end to native forest logging, were it to be acted upon by the Prime Minister, would not provide that breathing space for adjustment. I simply make the point that that is a consideration which we ought to take into account.

It would be very easy for us to pass a motion knowing that we would not be responsible for carrying it through. I do not think the ACT Assembly should be doing that kind of thing. I think we should, in these situations, put ourselves in the shoes of the people that we are urging to take certain steps and ask ourselves whether we could, if we were in that position, take that step that we are urging them to take. The answer must be that at this point in time we could not do that.

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Question put:

That the amendment (**Mr Berry's**) be agreed to.

The Assembly voted -

AYES, 13

NOES, 4

Mr Berry
Mrs Carnell
Mr Connolly
Mr Cornwell
Mr De Domenico
Ms Follett
Mr Hird
Mr Humphries
Mr Kaine
Ms McRae
Mr Stefaniak
Mr Whitecross
Mr Wood

Ms Horodny
Mr Moore
Mr Osborne
Ms Tucker

Question so resolved in the affirmative.

Question put:

That the motion (**Ms Horodny's**), as amended, be agreed to.

The Assembly voted -

AYES, 13

NOES, 4

Mr Berry
Mrs Carnell
Mr Connolly
Mr Cornwell
Mr De Domenico
Ms Follett
Mr Hird
Mr Humphries
Mr Kaine
Ms McRae
Mr Stefaniak
Mr Whitecross
Mr Wood

Ms Horodny
Mr Moore
Mr Osborne
Ms Tucker

Question so resolved in the affirmative.

OATHS AND AFFIRMATIONS (AMENDMENT) BILL 1995

Debate resumed from 21 June 1995, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

MR HUMPHRIES (Attorney-General) (11.28): I rise to indicate that the Government sees some merit in the legislation Ms Follett has proposed but believes that an amendment is appropriate, and that amendment has now been circulated. Ms Follett is right to deduce that people should expect that members of parliament would be swearing or affirming their allegiance to the members of the community from which they have been elected and which, in a sense, they serve and which is responsible for re-electing them. It is perhaps surprising, to a person who looks at our present oath or affirmation, to see that there is not a provision available at the moment to have a person indicate their allegiance towards the people of the Australian Capital Territory. Members are obliged to uphold the law and to swear allegiance to the Australian head of state, as she is now designated, but are not obliged to swear allegiance to, in a sense, the interests of the people of the ACT. That is a matter that Ms Follett's Bill properly attempts to remedy.

However, there is another item on this agenda that I think is a different debate altogether, and that is the question of whether we remove reference to the Australian head of state. The issue as some would like to characterise it is an issue about whether Australia should be a republic, whether Australia should have a resident of Britain as its head of state. That is a debate this community will inevitably have, on which many of us, perhaps all of us, have strong views already, and which undoubtedly will result in some decision in the near future. If the Prime Minister has his way, a decision on this issue will be made one way or the other some time shortly before 1 January 2001.

I look forward to taking part in that debate at that time because this is a decision which, of course, is going to be made not merely by the people of the ACT but by the whole of the Australian population. I question, however, the wisdom of predetermining that debate now. Quite apart from the question of who should be the Australian head of state, the issue of whether we should remove a reference to allegiance to that Australian head of state is an issue we ought to be treating with some care. It is quite common for members of subnational parliaments around the world to be declaring allegiance to either the head of state or the symbol of the state, or the concept of the state, when they take office in a subnational parliament. My understanding is that in most provincial parliaments in Canada, in State parliaments in the United States, and so on, members swear allegiance to Canada or to the United States or whatever it might be. I think it is appropriate for us to do so as well.

Perhaps it could be argued that we should be swearing allegiance to something other than the head of state, but the fact is that traditionally in this country we have sworn allegiance to the head of state. I would argue that, even if Australia becomes a republic, it is appropriate for us to be making that declaration of allegiance. Our head of state would continue to be, for example, the supreme commander of our armed forces,

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would fill a number of symbolic roles, and appropriately should be looked up to by Australians in those circumstances. It is very easy for us in this present debate to foist petty indignities onto our present Australian head of state, and the extent to which that has already begun, I think, is a very poor sign of Australians' respect for constitutional processes.

Even if we have this debate and we come to a conclusion at the end of the debate, it is important for us to try to keep symbols of national unity together and not to splinter on these issues. If republicans feel that it is all right in the course of this debate to denigrate the Queen and her office and to do these sorts of things to her office and her position, it makes it very easy for similar things to be done to an Australian-born head of state or an Australian-resident head of state after a successful republican debate and referendum is held. That is a very dangerous step. Ms Follett said in her remarks when she introduced this legislation:

I think it is true to say that the swearing of allegiance to the Queen is very much the exception rather than the rule.

I did some research on that subject, and I have to say that I do not think what she said was true. I am not sure in what context she was making those remarks. Certainly, in respect of the swearing of new citizens of Australia that is true, but that is only one case. I have looked at the situation with respect to oaths or affirmations for the swearing in of members of the other parliaments in this country, and the model proposed by Ms Follett would indeed be the exception, not the rule.

In the Commonwealth Parliament, for example - and we know the views of the Federal Government at the moment - there is a requirement in section 42 of the Constitution for every senator and member of the House of Representatives to swear an oath or make an affirmation, and the oath or affirmation as it is printed in the Constitution is to Her Majesty Queen Victoria, her heirs and successors - of course, that is updated. That is the requirement for all members of the Federal Parliament. Indeed, all members swear that oath or make that affirmation at the moment. In Victoria, there is a requirement to swear an oath to Her Majesty and Her Majesty's heirs and successors according to law, or to make the affirmation. In New South Wales there is a requirement under section 12 of their Constitution Act of 1902 to swear an oath in the name of the sovereign of the United Kingdom of Great Britain and Ireland. It also refers in print to Her Majesty Queen Victoria, but that again is updated.

In South Australia, no member of parliament may take a seat unless they have sworn an oath, which is again to Her Majesty Queen Elizabeth II, her heirs and successors according to law. In Western Australia, no member of the Legislative Council or Legislative Assembly shall sit or vote therein unless they have subscribed an oath, which in the schedule is to Her Majesty Queen Elizabeth II, her heirs and successors. In Tasmania, there is a slightly different arrangement. The Promissory Oaths Act 1869 somewhat strangely uses the following words: "I swear that I will be faithful and bear true allegiance to His Majesty the King, according to law, so help me God".

Mr Connolly: Gary, you would like these antiquarian forms - Queen Elizabeth, King George.

MR HUMPHRIES: My personal feelings do not come into it, Mr Connolly. Queensland has a similar swearing of allegiance to Her Majesty Queen Victoria, updated of course. The Northern Territory has an arrangement which I will come back to in a moment but one where members swear two oaths or affirmations - one to Her Majesty the Queen and the other to render true and faithful service as a member of the Legislative Assembly of the Northern Territory. I will not go through them in detail, but substantially similar arrangements apply for the swearing in of members of benches, members of courts, around the country. I think there is one exception that I found before - I cannot put my finger on it at the moment - but it is almost invariably the case that members of courts in this country swear allegiance to the Queen.

It is not true to say that this is the way of the future, necessarily - it might be, but it is not necessarily the case - or that this removal of reference to the Queen is the rule rather than the exception. That is simply not the case. I ask members to ask themselves this question: Ought these sorts of changes to be made now or in the context of the outcome of a referendum on this subject by the Australian people? My view is that the Australian people have a right to make this decision, that they ought to make this decision, but that when they do make this decision, if we have held a sensible and rational and adult debate, we will abide by the outcome of that debate. If we are effectively engineering the debate to begin with, if we are removing references to the present Australian head of state because it suits the agenda of those who would see a particular outcome of that debate, then we are, I think, pre-empting the appropriate decision of the Australian people and we are doing them a grave discourtesy and insulting their capacity to make that decision. If the Australian people decide in whatever year it is - 2000 or 1999 or whenever it might be - that they wish to preserve the current arrangement for the Queen to be the Australian head of state, then I think it is appropriate for us to have arrangements such as this in our legislation.

That is why I propose to move the amendment I have circulated in the chamber. What this does is to pick up the important references in Ms Follett's legislation to the swearing of an oath or affirmation to the people of the Australian Capital Territory, but also to preserve a reference to our role as members of a nation and the current reference to swearing allegiance to the symbol of Australian nationhood, which at the moment is Her Majesty Queen Elizabeth. I therefore suggest that we should be preserving that option until such time as the Australian people make an alternative decision. Then perhaps we would amend that, if there was a decision to have a republic, to provide for the swearing of allegiance to the Australian head of state or Australian-born head of state, or perhaps to the concept of Australia or something of that kind. But I believe that it is appropriate for us to indicate some allegiance to a matter beyond just the people of the ACT. We are all Australians; we have responsibilities as part of this nation. At the present time our responsibilities are defined in terms of allegiance to the Australian head of state, and I believe that we should preserve some mechanism in the legislation to do that.

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MR MOORE (11.41): On quite a number of occasions I have been in a position where I have made either an oath or an affirmation, as set out currently in the self-government Act. Certainly, when I was a member of the Citizen Military Forces and was commissioned as an officer I did so. When I joined the Citizen Military Forces, I believe that I did so, and I imagine that the same would go for a number of people in different times, and similarly as a member of this Legislative Assembly on three occasions. On those occasions I swore that I would be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. For me, one of the most important parts in the whole process was "according to law". It is that law that we are seeking to change or to modify at this stage, and I think it is appropriate that it be modified.

When I first saw the Oaths and Affirmations (Amendment) Bill, I thought yes, it is timely; we have reached the point where we should stand up for ourselves, and our first and most important responsibility is to the people of the Australian Capital Territory. I have heard the arguments Mr Humphries has put about our allegiance to Her Majesty Queen Elizabeth as Queen of Australia. Whilst I find the arguments tenuous to a certain extent, I accept that within Australia and the Australian Capital Territory there are people who feel particularly strongly about that. So, when Mr Osborne indicates, and I am sure that he will speak about it, the possibility of allowing individuals to choose how they wish to go while the debate on a republic continues, I think that makes a reasonable amount of sense. People like me who will choose to go down the path Ms Follett has proposed will be able to do so; similarly, people who choose to retain their oath to what is still currently the Australian head of state will be able to do that.

Although I am pre-empting Ms Follett to a certain extent, I think that is a sensible approach, and what I would see as the interim step. It is a step-by-step approach. I think it will not be all that long - I would not be surprised if as a member of this Assembly I see this myself - before we take the broad step of having the oath without reference to a foreign head of state who is also the Australian head of state. I think it is appropriate for the Leader of the Opposition to bring on this debate and to allow the choice, in the same way as we allow the choice between an oath and an affirmation, which recognises people's beliefs. The opportunity to recognise people's beliefs and feelings is appropriate. I look forward to the detail stage of this Bill, when we take what I hope will be a sensible step.

MR KAINE (11.45): I want to emphasise some of the points Mr Humphries made. I suppose that in some sense I am a bit of a traditionalist, but I also happen to subscribe to the concept of the rule of law. Mr Moore referred to the fact that the current oath we make refers to the law. I do not believe that we should be changing the law by this sort of backdoor method. It offends me personally that we seek to deal with the matter in this way.

Mr Humphries has made the point that there is a debate going on at the moment about whether or not this country is going to become a republic. That may be resolved in the affirmative or the negative. When the time comes, if the people choose that we become a republic, it will be necessary to find new forms for these things that we are required to do. But at the moment we do not have to, and it seems to me to be a repudiation of

our present status to be changing the oaths we take. Mr Humphries has made the point that, if we did this, we would be the only parliament in Australia that has chosen to take this new course of action. What does that mean? Does that mean that the ACT suddenly becomes a republic overnight? I do not think so. It does not change our status one jot and it does not change the fact that our head of state is still Queen Elizabeth, Queen of Australia.

What is it about this current status that is so repugnant to people that they want to cast off something that is part of our current law, part of our current Constitution? Let the debate run, let the debate be concluded, and I will live with the outcome, just as I would expect everybody else to do. I might not like the outcome, but I will live with it and I will comply with the law as it then becomes. But, until that time occurs, why cannot other people have the same tolerance and live with the law and the situation as it is? It is not going to change anything one jot, except what we say when we come into this place on the first occasion after being elected and mumble some words about to whom we offer our allegiance.

I do not know quite what the new proposal means. What does it mean to have allegiance to the people of the ACT? Which ones?

Mr Berry: All of them.

MR KAINE: How do you know what they require of you? We cannot do better than get some sort of consensus when we go to an election. We cannot do better than get some sort of consensus when we have a referendum. How do we know what the people in their totality demand of us? We do not know; so, when it comes down to swearing allegiance to the people of the ACT, I suspect that it is going to be defined rather more narrowly when the time comes. The Labor Party, for example, will discover that their allegiance is not to the people of the ACT but to those who constitute the preselection college of the Labor Party. That is where their allegiance would lie in practical terms. To take this oath in the form in which it is currently being put forward is, if you like, to misrepresent what the true situation will be should it be passed.

However, once the debate on the republic is over, if it is determined that Australia will become a republic, we are going to have to develop new forms and new styles, and I do not know what forms and styles will be most appropriate when that time comes. There are other people better qualified than I am, and I submit that there are better qualified people than Rosemary Follett, to determine what the form of those things should be when the time comes. We are at the moment bogged down on rather more major issues, such as how you go about electing a president, if we become a republic. That is an issue that needs some attention focused on it. But the form of oath we are going to take after we have one is another issue altogether.

I must say that I have never had any trouble giving my oath of allegiance to the Queen or the King of Australia, as it was from time to time. I will continue to do so until the law changes and requires me to do otherwise, but I do not support this particular change. Some of the rather facile explanations we get as to why it is necessary are singularly unconvincing. I do not know why this place does not get on with some real business and address the issues that really concern our community, rather than this sort of nonsense.

MR WHITECROSS (11.50): I want to enter the debate in principle to broaden the confines of what has been said so far. It seems to me that people on the Government benches are rather keen to talk about this as if it is purely and simply a de facto debate on the merits of the republic, and it simply is not that. This debate is about the most appropriate form for us to express our commitment to our responsibilities as members of this Assembly when we are elected and are sworn in or affirmed. If the issue was, as some of the people on the Government benches wish to make out, purely a matter of republicanism versus constitutional monarchy, presumably we would be wanting to have some sort of oath or affirmation swearing allegiance to the constitutional head of Australia - to the president of Australia or something like that. This is not the case at all. What we are talking about here is a reflection of what our form of government really is.

The notion of swearing allegiance to a monarch comes out of a period when a monarch ran the United Kingdom, the parliament was there to assist the monarch in doing that, and their allegiance was to their monarch. That is not the system of government with which we are familiar today. Democratic thinking has moved on a great deal since those early days of parliaments. We are elected by the people. We canvass for support from among the people. It is the people of the ACT who elect us. Each morning when we come into this place we pray or reflect on our responsibilities to the people of the ACT. They are the people who will judge us at the next election on whether we have performed our job; they are the people who pay our wages; they are the people to whom we have a responsibility. What this form of oath or affirmation does is reflect the fact that we are representatives of the people. We were elected by the people and we are accountable to the people. That is what this is about.

I am not going to disguise the fact that those among us who would prefer that Australia was a republic find it strange that we have to swear an oath or make an affirmation to the Queen of England, but this is about much more than that. This is about what our real form of government is. It is a representative democracy and our allegiance is to the people we represent. That is what this Bill is about and that is why people should be supporting the Bill. If people are going to oppose this Bill because of some misguided notion that somehow they are being disloyal to the cause of constitutional monarchy, they are misguided. That is not what this is about. It is about us properly acknowledging where our duty lies, and our duty lies to the people of the ACT.

This is in accordance with democratic principle around the world. You can look at other democracies and you will see that, more often than not, people swear allegiance to their country and to the people of the country, not to the constitutional head of the country. We are proposing here that we swear allegiance to the people of the Territory we represent, and I would urge people to put out of their minds these diversions about the republican debate. Let that debate go on, but that is not what this is about. This is about acknowledging whom we are here to serve, whom we represent. We are not here to serve the Queen, we are not here to represent the Queen; we are here to serve the people of the ACT and to represent them, and for that reason the Labor Party has proposed this Bill.

MS FOLLETT (Leader of the Opposition) (11.55), in reply: I welcome the support I have had from most members for the notion that, as members of this Assembly, we should express our allegiance, our loyalty, to the people whom we have been elected to serve, that is, the people of the Australian Capital Territory. Mr Kaine alone of the speakers had some difficulty with that notion. Mr Kaine asked which ones we are to serve. I would answer Mr Kaine by saying that we are expected to serve them all, and to serve them regardless of their background, their race, their creed, their multiculturalism and so on. I think that is very clear to most of the people who have spoken.

I would also like to comment that Mr Kaine's remarks really make a mockery of the amendment that will be put forward by his colleague Mr Humphries, because the wording in the amendment foreshadowed by Mr Humphries is identical to the wording I have proposed. Mr Humphries in Part II of his proposed Schedule 1A has the words, "I swear" or "I solemnly affirm that I will faithfully serve the people of the Australian Capital Territory as a member of the Legislative Assembly and discharge my responsibilities according to law". That wording is identical to the wording I have proposed. Mr Kaine perhaps should have sought to discuss his qualms with Mr Humphries before he got to his feet in the Assembly.

I want to answer a couple of other points that were made in the course of the debate. Mr Humphries was concerned, at the outset of his remarks, that there was an attempt here to diminish the Queen, to be disrespectful towards the Queen. I very much doubt whether anybody reading the speech I made at the introduction of this Bill could find any disrespect, anything other than the utmost respect, in those comments. That is certainly not my intention and never has been. Indeed, regardless of whether Australia becomes a republic, there is no doubt whatsoever that the Queen is held in high esteem and in some affection by many Australians, many Canberrans. Every time she visits this country she is treated very much as an honoured guest. That would not change under any republican arrangement. She is always the head of state of Great Britain; she will still be the head of state. She is still a person who represents some Australian tradition, some Australian loyalty, but not the whole picture, and that is my very point - that Australia, including Canberra, is a multicultural community. Mr Humphries made the comment that we are all Australians. The fact of the matter is that the Queen is not, and that is very much a part of the debate on the republic. People feel, and I feel, that we should have an Australian head of state.

Mr Humphries also referred to the question of what occurs in other parliaments at the time they swear in new members. I make the point, first of all, that this parliament is not like other parliaments. From the very outset, we have not had a representative of the Queen as part of our constitution in the ACT. To answer one of Mr Kaine's comments, the ACT is the closest thing Australia has to a republic. We do not have a governor; we do not have an administrator. As I said in my opening remarks, the Crown does not play a noticeable part in the business of either the Assembly or the Government. That makes us very different from other parliaments. In swearing in members of other State parliaments, it is probably highly likely that the Queen's representative is present at those occasions. For that reason, you would expect their processes, their swearing in, to reflect that fact.

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The Territory is just not like that. The constitution we operate under, the self-government Act, is different and that is reflected in the way we conduct ourselves. We have always had our swearing-in conducted before the Chief Justice of the ACT. There is no role there for even the Governor-General, who does retain some reserve powers in relation to the government of the ACT. He has never been present at any of our swearing-in ceremonies, and I do not imagine that he ever would be. He does retain some reserve powers, which have never been exercised. There has never been any interest expressed in the exercise of those reserve powers. The Territory is different, and I think our swearing-in ceremony should reflect that difference.

Mr Humphries took issue with my statement that I thought the current oath or affirmation was the exception rather than the rule, but he compared our oath or affirmation only with other oaths or affirmations in parliaments. If you look more generally at the question of oaths or affirmations, as contained in the Oaths and Affirmations Act, you will see that there is a vast range of oaths and affirmations that have no reference whatsoever to the Queen.

Mr Humphries: Such as?

MS FOLLETT: I think Mr Humphries was drawing something of a longbow. Mr Humphries has asked for examples. I can give them to him: The taking of an oath or the making of an affirmation for various offices - that can cover a huge range of offices; the oaths or affirmations for witnesses in courts.

Mr Humphries: What sorts of offices?

MS FOLLETT: Any office as contained in the legislation. You are the Attorney-General; look it up. I have the book here. For witnesses in court; for interpreters who have to take an oath or make an affirmation, whether they are interpreting into English, in a written, spoken or sign language form; for verification of signatures on documents; and so on. None of those oaths or affirmations require a reference to the Queen; it is in the legislation. I stand by the comment I made. The examples Mr Humphries gave of swearing oaths and making affirmations to the King indicate how long it is since some people have thought about the issue at all. I am in favour of this parliament being up to date in its procedures, in its processes. We do not have a Speaker in a wig and gown or heavy chains of office, as do some older parliaments. We reflect modern practice in a modern society, and removing the reference to the Queen is very much a part of that reflection of our own current society.

Mr Moore indicated that he would support the amendment that has been circulated in Mr Osborne's name. That is probably better than nothing; but I do stand by my fundamental position, and that is that, if we want to reflect what we really are about as ACT Assembly members, it is not appropriate for us to swear allegiance to the Queen. Our allegiance here is simply not to the Queen, without any disrespect to her or to the office she holds; our allegiance is to the people of the ACT. Even if Mr Osborne's amendment does succeed, there should not be any option for members of this Assembly in swearing their allegiance to the people of the ACT. I think it is fair enough if you want to

provide an option for whether people swear allegiance to the Queen. People can take their own view on that, but I do not think there should be an option of not swearing your allegiance to the people of the ACT. Clearly, I would say that Mr Humphries feels that way as well.

I think Mr Osborne's amendment would be better than nothing, but it does not go as far as I would like the Assembly to go in making it clear where our loyalties lie and where we see our duty. In my view, it is undeniably to the people we represent, the people who elected us to be here. I think that, if other parliaments were to move in the same direction, it would be applauded by the people they represent. I imagine that neither the constituents nor the parliamentarians have thought about the issue very closely. Frankly, if I were to elect to a parliament in another part of Australia somebody who I thought was under an obligation to swear allegiance to the King and to no-one else, I would be very doubtful about what they were going to do once they got there.

Mr Speaker, I commend this Bill to the Assembly. It is timely, and I think it is appropriate that the Assembly should truly reflect both our constitution as it exists under the self-government Act and the motivation that brings us all to this place.

MR MOORE: Mr Speaker, I seek leave to clarify an impression that I think Ms Follett inadvertently gave.

MR SPEAKER: Under standing order 47?

MR MOORE: No; because it is not my speech. I seek leave of the Assembly to clarify something about the role of the Governor-General in terms of the Assembly.

Mr Humphries: Use standing order 46.

MR MOORE: It has nothing to do with standing order 46. I am just seeking leave of the Assembly.

Leave granted.

MR MOORE: Mr Speaker, perhaps some could interpret Ms Follett as saying that the Governor-General, or the Queen's representative, had no role at all in the Assembly.

Ms Follett: No; I did not say that.

MR MOORE: No; I just seek to clarify it. I think some may interpret it in that way. It is important to note that section 16 of the self-government Act does provide a role in this Assembly for the Governor-General - to dissolve the Assembly under some circumstances. Perhaps I misheard or misunderstood, but I did want to make sure that that was clear on the record. If I have repeated something the Leader of the Opposition said, I apologise to members. I appreciate the opportunity to clarify that.

Question resolved in the affirmative.

Bill agreed to.

Detail Stage

Bill, by leave, taken as a whole

MR HUMPHRIES (Attorney-General) (12.07), by leave: I move:

Page 2, lines 3 to 8, clause 4, proposed new clause 6A, omit the proposed new clause, substitute the following clause:

Oaths or affirmations by member of the Assembly

“6A. Notwithstanding subsection 9(1) of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth, a member of the Legislative Assembly, before taking his or her seat, shall make and subscribe -

- (a) an oath or affirmation in accordance with the form specified in Part I of Schedule 1A; and
- (b) an oath or affirmation in accordance with the form specified in Part II of Schedule 1A.”.

Page 3, Schedule, omit the proposed new schedule, substitute the following schedule:

“SCHEDULE 1A Section 6A

OATHS AND AFFIRMATIONS BY MEMBER OF LEGISLATIVE ASSEMBLY

PART 1

OATH

I, A.B., swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, Her heirs and successors according to law: So help me God!

AFFIRMATION

I, A.B., solemnly affirm that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, Her heirs and successors according to law.

PART II

OATH

I, A.B., swear that I will faithfully serve the people of the Australian Capital Territory as a member of the Legislative Assembly and discharge my responsibilities according to law: So help me God!

AFFIRMATION

I, A.B., solemnly affirm that I will faithfully serve the people of the Australian Capital Territory as a member of the Legislative Assembly and discharge my responsibilities according to law.”.

I think Ms Follett made a fairly significant comment when she referred to the question of other oaths and affirmations. She said that I was wrong to suggest that this was out of sync with other oaths and affirmations, and she cited a number of examples of oaths or affirmations that do not conform with this model. She cited officers, but did not actually say which ones they were. I can think of a number of officers in senior positions in the Territory who do swear such an oath or make such an affirmation - for example, officers of our courts, and not just judges or magistrates but also other officers in the courts. Ms Follett went on to refer to witnesses in courts and interpreters. I should point out that people who swear those oaths or make those affirmations are performing a different function. They are swearing to tell the truth in court proceedings or swearing to translate accurately the material they are being given. This is different. This is swearing to fulfil the duties of a statutory office, and that, I think, is very different. On that level, I do not think Ms Follett has produced any evidence at all that what she is suggesting we should do is the norm, or the rule, as she puts it. In fact, it is very much the exception to what is the existing rule.

I think it is a bit strange to suggest that people in other parliaments of this country have not thought about this issue. The republic debate has now been going on for about four years, and I would be very surprised if members had not thought about it, even in those States where the Labor Party controls the parliament, such as Queensland. There they could have made this change some years ago, but apparently they have not attempted even to think about doing so. I make clear one small point: Nobody in Australia swears allegiance at the present time to the King. The reference in the legislation is to the wording as it was put forward at the time the legislation was passed. Obviously, there are also words in those provisions to update the reference in the oath or affirmation to the monarch of the day. I table the explanatory memorandum to the amendments, Mr Speaker.

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MR OSBORNE (12.10): I move as an amendment to Mr Humphries's amendment:

Proposed new clause 6A, paragraph (a), after “and” add “/or”.

It appears to me that, although Mr Whitecross tried very hard to convince us otherwise - he nearly did; it was a very good speech - he is more than anything about the Labor Party's republican push. It seems that once again we are faced with deciding between the two major parties' ideologies. We have the Liberal Party clinging to the royal family and the Queen and years of tradition, which I do not think is bad. We also have the Labor Party running their republican line, which is probably the way I lean now. However, my mind is not yet made up. My amendment will allow all future members to do just as they wish and to swear allegiance to the Queen, the people of the ACT or both.

Mr De Domenico: A conscience vote.

MR OSBORNE: A conscience vote. I remember a debate we had earlier in the year on the prayer.

Mr Moore: How did you stand there?

MR OSBORNE: I just sat, actually. The opponents of the prayer used the words “inclusion” and “tolerance”. My motion includes all options and tolerates both sides of the republican debate. I do not feel that pre-empting an issue that is well and truly on the national agenda is prudent. On an issue such as this, which when you look at it does not have a great effect on the people of Canberra, members should be allowed to vote whichever way they feel that they should. By accepting my amendment to Mr Humphries's amendment, the Labor Party can swear allegiance to whomever they wish, as can the Liberal Party, the Independents, the Greens, or anyone else who gets elected to this place.

MS FOLLETT (Leader of the Opposition) (12.13): Mr Speaker, I will be supporting Mr Osborne's amendment but opposing Mr Humphries's. The difficulty with Mr Humphries's amendment is that it does specify that members still must swear allegiance to Her Majesty the Queen, her heirs and successors. As I have been at great pains to spell out throughout this debate, I have an objection to that both on the grounds of the constitution of the ACT and on the grounds of relevance of the office of the Queen to this Assembly. I think it is more appropriate, as Mr Osborne has said, to provide some alternatives; but, ideally, I do not believe that there ought to be an alternative for members of this Assembly not to express their allegiance to the people of the ACT. However, I understand what Mr Osborne was getting at there, and I think it would be a very strange newly elected member of the Assembly who would choose to swear allegiance only to the Queen and not to the people. I cannot imagine that circumstance arising, so I would therefore support Mr Osborne's amendment.

I think it is extraordinary, if I could end on a frivolous note, that Mr Humphries has taken such exception to the removal of the Queen from our oath when it is he who has brought before this Assembly a piece of legislation designed to abolish the office of queen's counsel. Obviously, he does not always feel that updating to the reality of either the professional situation or the constitutional situation is inappropriate. He has taken that action himself, and it is my view that he should take it on this occasion and on this matter as well.

MR HUMPHRIES (Attorney-General) (12.14): I must rise on that note. I think I might have said on the occasion on which I introduced the legislation - not to abolish queen's counsel but to abolish the Government's role in the appointment of queen's counsel - that I regretted having to do that. As an avowed monarchist, I would like to be able to preserve the capacity of our community to appoint people with the title of queen's counsel. The point I made is that the Government should not have a role in anointing particular practitioners at the bar of the ACT as being specially qualified people who deserve higher status than other people.

Ms Follett: The office will no longer exist, though.

MR HUMPHRIES: Indeed it will not; but, unfortunately, we cannot provide for people to be appointed as queen's counsel other than by the Government.

Mr Connolly: Yes, you could.

MR HUMPHRIES: No, that is not true.

Mr Connolly: You could devolve the power to the Chief Justice.

Ms Follett: Why do you not get the Law Society to do it?

MR HUMPHRIES: We could have other government instrumentalities doing it; that is true. If Ms Follett would care to read my speech at the time, she would see that I made reference to all of this. It is possible, of course, for the Chief Justice to do it or for there to be some other court-sanctioned process; but, again, it is an agent of government sanctioning certain people as being better qualified and having a higher status than other people in the community. I am sure that Mr Connolly will rise in a few weeks' time to support the legislation. I am sure that he will do so on the basis that governments should not be involved in appointing certain sorts of barristers, any more than we have queen's solicitors or queen's doctors or queen's accountants or queen's pharmacists, or whatever it might be. Governments should not be playing favourites amongst the work force.

If traditionally these people had been called, say, senior counsel, as they are now to be called, I would have no difficulty in having the profession continue with the use of that name. But the use of the words “queen's counsel” implies a government- or state-sanctioned appointment, and that, I think, we cannot continue. If Mr Connolly would care to put forward an amendment to allow us to support the use of the words “queen's counsel”, even when it was the profession, not the Government or the court, that appointed them, I would guarantee to support that amendment. It would be most unusual, but I would support the amendment. I do not think Mr Connolly will bring that forward, however.

MS TUCKER (12.17): The Greens will be supporting Mr Osborne's amendment. It is based on the value of choice, and that is what we think it offers. Questions of the significance of the Queen are personal and people should have the choice to use that form of allegiance. The question of who are the people of the ACT to whom you are swearing allegiance, which Mr Kaine raised, I think, is an argument about words. The essence of that is that you will be working to the best of your ability for the wellbeing of all people in the ACT.

MR KAINE (12.18): I support the amendment put forward by Mr Humphries. I also support the amendment put forward by Mr Osborne, and I do so because it gives us a choice. What I particularly object to in Ms Follett's Bill is that she would deny me the right to do what I think is right and proper. I do not believe that that is the prerogative of this Assembly, this parliament, and that is why I am opposed to her Bill. Mr Humphries's amendment allows me the choice. Mr Osborne's amendment extends that choice even further.

Ms Follett's Bill seems to rest on some assumption that Australians do not want to have anything to do with the Queen and that we should therefore strike her out of our public and private lives. She seems to have developed a view of some sort of common man. I presume that she has read too much French and American history and not enough English history. The English had a revolution too, which led to the present constitutional monarchy system that they enjoy and that we enjoy.

There seemed to be a further inference that people coming to Australia as migrants do not want to recognise the Queen as the head of state. That is a fallacy. People come to this country as migrants because they think our system is better than the system where they come from. They do not make the choice to go to France or the United States; they make the choice to come here. You do not see too many people knocking on the door trying to get into the modern Russia or the modern China. We have more potential migrants than we can cope with. Does that not say something about the fact that those people see our system as desirable? Why is it, then, that the Labor Party, not only here but elsewhere, seeks to destroy it? Despite Mr Whitecross's attempt to justify the thing, it is clear that the Labor Party sees this as just another part of the jigsaw that fits into their republican push. If they can establish a quasi-republic here, they see that as a step in the right direction.

I refute Ms Follett's suggestion that this place is different from anywhere else in Australia in that the Queen has no part in it. We are established by a statute passed by the Federal Parliament, which itself is subject to and acknowledges its allegiance to the Queen. To say that we are somehow so different that we are not a part of all of that is, of course, a factual and legal nonsense. However, Mr Humphries's amendment, together with that of Mr Osborne, removes my objection because that will allow me to do what I wish to do, just as Ms Follett desires to do what she wants to do.

Amendment (**Mr Osborne's**) agreed to.

Question put:

That the amendments (**Mr Humphries's**), as amended, be agreed to.

The Assembly voted -

AYES, 11

Mrs Carnell
Mr Cornwell
Mr De Domenico
Mr Hird
Ms Horodny
Mr Humphries
Mr Kaine
Mr Moore
Mr Osborne
Mr Stefaniak
Ms Tucker

NOES, 6

Mr Berry
Mr Connolly
Ms Follett
Ms McRae
Mr Whitecross
Mr Wood

Question so resolved in the affirmative.

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

Bill, as amended, agreed to.

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TIMBER INDUSTRY

Ms Horodny: I seek leave to make a very quick conclusion to my woodchip motion.

Mr Berry: We have done it.

Ms Horodny: I was unable to stand up at the appropriate moment because I misunderstood the process with voting.

MR SPEAKER: It is a matter for the Assembly to decide. Ms Horodny is seeking leave. I will leave it to the Assembly. Is leave granted?

Mr Berry: Do it in the adjournment debate tonight.

Ms Horodny: Could I draw your attention to standing order 47, Mr Speaker.

Mr Moore: If it is an explanation under standing order 47, that is all right. That is the Speaker's prerogative, under standing order 47.

MR SPEAKER: The Acting Clerk advises me that standing order 47 applies when we are still debating the matter. We are not debating it now. It is possible to do it in the adjournment debate, Ms Horodny.

Sitting suspended from 12.30 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Labour Market Programs

MS FOLLETT: Mr Speaker, I direct a question to Mr De Domenico in his capacity as Minister for Business, Employment and Tourism. Can the Minister confirm that the following labour market programs have been terminated: ACT Jobskills, which is designed to give on- and off-the-job training to people over 21 years old who have been unemployed over a long period; the women's work force development scheme, which offers on- and off-the-job training for women who have been out of the paid work force, usually for a period of many years; Youth Joblink, which was a government sponsored program run by the Chamber of Commerce to match up young people with jobs in the private sector and monitor them and mentor them afterwards; and the venture and development assistance program, which was a program giving seeding grants mainly to young people to start up in their own business? Have you terminated those four programs?

MR DE DOMENICO: I thank the Leader of the Opposition for her question. As the Leader of the Opposition would be aware, the Government has maintained expenditure on labour market programs at \$1.6m, at the same level as set by the previous Government in the forward estimates. Over the last two years the former Chief Minister would have been aware that Commonwealth Government expenditure on labour market programs in the ACT area has doubled and this year is to reach \$7.2m, compared to \$5.9m last year. This is programmed expenditure only, as Ms Follett would also be aware, and does not include staffing costs associated with the CES and other Commonwealth job services. Recently the Prime Minister, when asked about the high national unemployment rate for teenagers, pointed out that the majority of teenage Australians were in education, training or work. Compared to the national scene, the ACT is doing much better. Nevertheless, the ACT Government is committed to doing what it can.

Ms Follett: Mr Speaker, I raise a point of order. I have asked Mr De Domenico specifically about four programs. I think he should address his remarks specifically to whether or not he has terminated those four programs, rather than canvass the issue very broadly, as he is showing he wishes to do.

MR DE DOMENICO: If the Leader of the Opposition wants a direct answer to that question, not all four of the programs that she mentioned are going to be terminated.

MS FOLLETT: I ask a supplementary question, Mr Speaker. I ask Mr De Domenico to let the rest of us in on the secret of which of those programs are to be terminated. He apparently has that information in front of him. On the question of labour market programs, I also ask: Other than the new enterprise incentive scheme, which you have cut from \$4,000 to \$2,000 per recipient, in what labour market programs have the benefits provided been reduced?

MR DE DOMENICO: There are a number of programs that the previous Government funded willy-nilly on the spur of the moment and did not put on budget or in the forward estimates. As I have said, some of those programs will not continue to be funded by this Government.

Ms Follett: Which ones?

MR DE DOMENICO: If the Leader of the Opposition would like specific details of particular programs, I ask her to put the question on notice and I will answer it.

Mr Berry: Mr Speaker, I raise a point of order. Mr Speaker, I am searching through the standing orders to find out where a Minister is permitted to refuse to answer a question. The question was without notice. There is a tradition of answering such questions. Why not answer it?

MR SPEAKER: Mr De Domenico did not refuse to answer. He asked that the question be put on notice.

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Mr Berry: Mr Speaker, I raise a further point of order. Would the Minister be gracious enough to take it on notice rather than asking us to put it on notice. Putting it on notice is a longer procedure. If he takes it on notice now, we might get an answer before the end of the day's proceedings.

MR DE DOMENICO: Mr Speaker, in fact, that is what I think I said. If I did not say that, I will take the question on notice.

Green Jobs Study

MR KAINE: Question time gets technical, does it not?

Mr Berry: Not from your lot.

MR KAINE: I notice that you have plenty of advisers on the Opposition benches to tell you how to run your business, Mr Speaker. I hope that you feel secure.

MR SPEAKER: Very secure.

MR KAINE: I address a question to Mr Humphries, Minister for the Environment, Land and Planning. Minister, have you heard the statements by the Leader of the Opposition in which she dismissed the findings of a study on green jobs that cost \$21,500 and in which she said that the report should have been "sent back"? If so, why was the report not sent back, and what indicators did you use to determine that the report was, in your opinion, satisfactory?

MR HUMPHRIES: I thank Mr Kaine for his question. I must admit, Mr Speaker, that when I saw Ms Follett's press release I felt chastised. I felt quite concerned that I had allowed this document, this green jobs report, which was clearly substandard - at least Ms Follett thought so - to be received by the ACT Government and to be paid for. I saw the report on green jobs. It has a green cover, so it must be about green jobs, I suppose. Ms Follett points out in her press release:

... 27 of the 34 recommendations do nothing more than call for more studies or further assessments.

Ms Follett nods her head to say, "Yes, that is not a very good thing". I suppose that you could be tempted to say that. Twenty-seven of the 34 recommendations are nothing more than a call for more studies or further assessments. Ms Follett also says:

Even the Minister and his advisers seem unable to find anything good to write about it.

She has caught me out there, Mr Speaker. I did find it difficult.

Ms Follett: I did not say that.

MR HUMPHRIES: It is in a press release under your name, Ms Follett. It says:

Even the Minister and his advisers seem unable to find anything good to write about it.

You did write this, I assume, Ms Follett. Mr Speaker, I felt quite chastised about this. I thought, "I really have let the side down here". I called in my public servants and I said to them, "I want to know why it is that we received this substandard report and paid \$21,500 for it. Why did the Government receive this substandard report and pay for it? I want to know who was responsible. I am going to deal with that person". They were a bit sheepish to begin with, but they said, "Actually, Minister, you cannot sack the person who received this report and paid for it". I said, "Why not?". They said, "Because the person who received it and paid for it was actually Rosemary Follett". The report was actually received, they tell me, on 12 December 1994, and it was paid for - all \$21,500 - by one Treasurer of the Territory, who shall remain nameless, on 4 January 1995.

Mr Speaker, I was a bit perplexed as to what to do about this "manifestly unsatisfactory" report that Ms Follett referred to. I quote again from her press release, which she does not seem to be too sure whether she put out or not. Ms Follett says:

It has done practically nothing to put flesh on to a report which I saw last year.

I think we might have seen the source of the problem. Ms Follett, this is the report that you saw last year. It is the report which was given to your Government on 12 December 1994 and which you thought impressive enough to pay for on 4 January 1995, to the tune of \$21,500.

I then said to my officers, "If we have this substandard report, why is it that 27 of the 34 recommendations do nothing more than call for more studies or further assessments?". They said, "Minister, that is basically because of the terms of reference that were given to the consultant when the study was set up". I quote from that brief issued by the former Government. It says:

... tenders are sought for a study which will identify some key areas where there is good scope for employment growth within the ACT, provide a detailed justification, and recommend strategies for the further consideration of key areas. These key areas may become the subject of a more detailed strategy during 1995.

Indeed, Mr Speaker, they might have done, had the former Government had the good grace to acknowledge that the report that they commissioned, that they set the terms of reference for, was not, in their words, particularly satisfactory. Do not worry, Ms Follett. Do not despair. A chiropodist is on the way to you right now.

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MR KAINE: I ask a supplementary question, Mr Speaker. Minister, now that we know the facts, would you consider referring the report to the Leader of the Opposition to see whether she still thinks it is unsatisfactory?

MR HUMPHRIES: I think the Opposition will be very well placed to receive this report, Mr Speaker, and perhaps Ms Follett could knock it into shape with her very keen intelligence and sharp wit on this matter.

MS FOLLETT: Mr Speaker, I seek leave to make a brief statement on this matter.

MR SPEAKER: Do you claim, under standing order 46, to have been misrepresented?

MS FOLLETT: No; I wish to make a personal explanation.

MR SPEAKER: Proceed.

MS FOLLETT: Mr Speaker, I have been advised by my office that what we saw was the draft of this document; that we sent it back saying that it was unacceptable; and that we gave no authority for it to be paid for.

Mr Humphries: But you paid for it.

MS FOLLETT: Not on my authority.

Euthanasia

MR OSBORNE: Mr Speaker, my question is addressed to the Chief Minister. Chief Minister, could you outline the Government's policy on euthanasia and could you reassure me and the Canberra community that your party will not adopt a Stalinist-type approach to this moral issue, as some people in this house have attempted to do?

MRS CARNELL: The Government believes that these sorts of substantially moral issues which deal with human life should not be dictated by party policy. We recognise that any individual's conscience is the primary source of guidance on such issues. Mr Speaker, the ACT Government is not alone in this view. Indeed, the New South Wales Labor Government has adopted the same position on a proposal by Labor MLC Paul O'Grady to introduce a private members Bill to enact voluntary euthanasia. In a letter from the New South Wales Premier, Bob Carr, to the General Secretary of the Anglican Church's General Synod, Reverend Dr Kaye, Mr Carr says:

In recognition of the sensitive moral and personal issues surrounding voluntary euthanasia, the Government's view is that the matter should not be treated in a partisan manner. Accordingly, the outcome of any debate in the Parliament on the issue will be determined on the basis of a conscience vote.

Mr Speaker, the Leader of the Labor Opposition in the Northern Territory, Mr Brian Ede, commenting on the proposal by Marshall Perron to introduce voluntary euthanasia in the Northern Territory, told reporters on 1 February 1995:

I think this is a situation where people should be able to make that decision for themselves.

“For themselves”, he said. He said that it is vital that every step towards voluntary euthanasia be preceded by the widest possible consultation with the community. Let us look at another statement, one from Maggie Hickey, the Deputy Leader of the Northern Territory ALP. She told the Legislative Assembly:

I feel that, on this occasion, I have to cast a conscience vote.

Perhaps the statement from Terry McCarthy, a CLP member of the Northern Territory Assembly, best sums up the attitude of members on this issue. He said:

Members have been given the right of a conscience vote on this matter. If that right had not been offered, it would have been taken.

Mr Speaker, the Government has no policy on euthanasia, because it believes that every member of this house should have the right to act according to their conscience. As Health Minister, I can assure this house that no advice has been provided to the Government from the Health Department on this issue, and rightly so. It is a matter of personal conscience. I can assure the house that every Liberal MLA has, always has had and always will have the right to follow their conscience on issues which deal with the sanctity of human life.

I am disappointed that the Labor Opposition in this place has attempted to take a partisan view in deciding not to allow its members a conscience vote on this important issue. In fact, it is a decision that has rightly attracted condemnation from within their own ranks and shows a demonstrable lack of credibility in Ms Follett's leadership. I think that is really the issue here. That she forces her caucus to toe the party line on an issue that has involved no consultation by the party outside its own branch council is deplorable. Bob Carr and Brian Ede both support the right to a conscience vote based on the widest possible consultation. It seems not so Ms Follett. She has forced her members into silence and, in doing so, I believe, has stretched her credibility as leader beyond sustainable bounds. We only have to look at what Terry Connolly said yesterday, namely:

I have the gravest reservations about this proposed law. Accordingly, I have asked to be relieved of responsibility as caucus spokesperson on the issue of euthanasia.

Bill Wood said that he will exercise a vote based on his conscience. Ms Follett stands condemned for her failure to allow her own members to exercise that right. I believe that she should immediately grant them that right.

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Mr Berry: Mr Speaker, I wonder whether you would consider the question that was raised. It was out of order. I did not want to interrupt what the Chief Minister was going on about, but the question did ask the Government to announce policy.

Mrs Carnell: I did, in two places - right at the beginning and at the end.

Mr Berry: It is completely out of order.

Mrs Carnell: I said twice that we have no policy.

Mr Berry: The question was out of order.

MR SPEAKER: I do not know whether you are looking at standing order 117(f), but it says:

Questions may be asked to elicit information regarding business pending on the Notice Paper but discussion must not be anticipated;

The Chief Minister did not debate the issue in answering the question. The question was asked to elicit information. The Chair believes that that information was provided, whether people like it or not.

Mr Berry: Mr Speaker, I ask you to take the time to look at other sections of the standing orders, in particular 117(c)(ii), and quote that to us.

MR SPEAKER: It says that questions must not ask Ministers “to announce Executive policy, but may seek an explanation regarding the policy of the Executive and its application”.

Ms McRae: No policy is a policy.

MR SPEAKER: It is hardly Executive policy. In fact, from what I heard of the Chief Minister's response, it was the exact opposite of Executive policy, because there is not any policy. I stand corrected if I am wrong, but no Executive policy was quoted.

Mr Berry: Mr Speaker, standing order 117(c) says:

Questions shall not ask Ministers ...

MR SPEAKER: It says that questions shall not ask Ministers to announce Executive policy.

Ms Follett: That is exactly what the question did.

Mr Berry: So the question is out of order.

MR SPEAKER: But there is no Executive policy on this particular issue.

Ms Follett: Mr Speaker, may I offer you the benefit of my understanding of the standing orders. They are directed at the person asking the question. Nobody is saying that the answer was out of order. The question was out of order. That is our contention. On any reading of the standing orders, that position would have to be upheld. I think you will find that I am right, Mr Speaker.

Discrimination Proceedings

MR CONNOLLY: I actually have a question, Mr Speaker. My question is addressed to Mr Stefaniak as Minister for Education. You would be aware, Minister, that last year the then ACT Discrimination Commissioner, Professor Alston, found that certain practices of ACT agencies, including Community Services and Education, were discriminatory. You would also, I assume, be aware of the very public statements that I made, as then Health Minister and Attorney-General, that the Government would not appeal that finding of discriminatory practice and would, in fact, move to implement the decision. That statement that we would not appeal the decision, I recall, was loudly applauded by the then Opposition Leader, now Chief Minister, Mrs Carnell. Why, then, is this Liberal Government now seeking, in proceedings before another tribunal, to reopen the question of whether a family suffered discrimination, thus putting the family concerned to additional stress and financial hardship?

MR STEFANIAK: Thank you, Mr Connolly, for the question. Mr Speaker, firstly, I commend Mr Connolly for seeking intervention in the Labor Party. I think that is the latest development in the euthanasia saga.

In relation to your question, Mr Connolly, I am not quite sure when the decision you refer to came down. This Government certainly accepted the decision, as your Government did, and the policy continued. However, I understand that the party who initially took the action did not like the part of the decision in relation to no damages being awarded and accordingly appealed against that. That appeal is currently before the AAT. The ACT Government Solicitor is handling the matter professionally for the department and will do what is necessary as the ACT Government's legal representative. The Government did not bring the appeal. This Government abided by the decision, as did your Government.

MR CONNOLLY: I ask a supplementary question. I have no difficulty with the Government litigating the issue of damages and defending the Territory's position in relation to damages, but my understanding is that the question of whether there had been discrimination - we said that we would not appeal against the decision but would accept it and Mrs Carnell said that we were correct in accepting it - is being reopened. Can you give an assurance to this Assembly that you, or lawyers acting on behalf of you, will not reopen the question of discrimination but will confine any appeal to the question of damages?

MR STEFANIAK: Mr Connolly, you would have some experience of appeals and the law. In going back and working out such things as the quantum or lack of quantum of damages certain issues would have to be looked at. That is appropriate. I imagine that the Government Solicitor will be just doing his job in relation to that.

Local Area Planning

MS TUCKER: Mr Speaker, my question is for Mr Humphries as Minister for Planning. Is it true that your Chief Planner informed the Area 1 LAPAC that local area planning has been handed over to LAPACs and that by early November this LAPAC must develop a response to a variation which would allow a three-storey development?

MR HUMPHRIES: I thank Ms Tucker for the question. I was not present at the meeting of LAPAC Area 1. Mr Tomlins provided assistance and advice to the LAPAC meeting. Mr Speaker, the position of the Government is that the LAPACs, having now been set up, are to be given two principal tasks. The first is to assess applications for development or other land use within their area, which would normally be notifiable so that the residents of an area would normally have the capacity to make submissions to the Planning Authority. In a sense, the LAPACs are able to filter, accept or process community concern about particular development applications.

The second task is to do with ongoing planning issues such as the development of awareness guidelines and consideration of variations to the Territory Plan. I understand that LAPAC Area 1 was asked to consider draft variation 33 to the Territory Plan. All three LAPACs have been asked to do the same thing. The draft variation has been in existence for something like a year and is, I think, operating on an interim basis to put certain restrictions on certain land uses in the Territory, pending the outcome of the process whereby the Assembly determines whether that variation should become a permanent variation to the Territory Plan.

Mr Speaker, in my view, the Assembly should move quite soon to deal with that issue. Having established LAPACs, we are in a position now to go through the process of community consultation to do that. I make no apologies if Mr Tomlins indeed said to the LAPAC that they should begin to look at the question of whether draft variation 33 becomes a permanent variation to the Territory Plan. As I understand it, they have asked for an extension of two weeks for that process, which the Government is prepared to grant, because we want the job done properly if that is at all possible. It is important for this longstanding issue to be dealt with fairly soon, because the variation has been on the table now for a year and many important commercial issues, among other things, are resting on the outcome of that variation. I think it is appropriate that we move as a community to resolve the issue.

MS TUCKER: I ask a supplementary question. Given that the time has been so short, are you providing extra resources to assist the LAPACs to make this very significant decision?

MR HUMPHRIES: Mr Speaker, first of all, I do not think the time has been particularly short. The issue has been on the table for a very long period of time, and many members of the LAPACs would have had considerable contact with the issues raised in draft variation 33. In the six weeks or so that I roughly calculate they have available to them to look at this issue, of course resources will be made available to the LAPACs.

If Ms Tucker is suggesting that there are not many resources available to LAPACs, let me remind her that the recent budget of the Government set aside \$100,000 for servicing the LAPACs in various ways. If you apportion it between the three LAPACs, that is an average of \$33,000 each. Much of that will be spent on having resources within the Planning Authority and other arms of government to feed the work of the LAPACs. Indeed, Mr Tomlins's presence at the LAPAC meeting the other night was designed to give them top level advice from the most senior level of the public service on what was happening with the LAPACs. If they request other advice or information, of course it will be furnished. But we ask them to look at the issue with some urgency, because in my view and the view of the Government it is a matter of some outstanding concern.

Graffiti

MR BERRY: My question is directed to Mr De Domenico in his capacity as Minister for Urban Services. Minister, the issue of graffiti has been the focus of a great deal of attention both here and in other States, and the Planning and Environment Committee has taken it on as a reference. In seeking a solution to the problem, has the Minister asked the Minister for the Environment to take the matter to ANZECC?

MR DE DOMENICO: The answer to that question - and I thank Mr Berry for the question - is no.

MR BERRY: I ask a supplementary question. Since an ANZECC meeting - maybe I should ask the Minister to tell me what the acronym stands for but I will not - is due, will the Minister assure this house that, in line with the priority that we give the issue, he will ensure that the issue is given a high priority at ANZECC?

MR DE DOMENICO: Mr Speaker, I am glad that Mr Berry asked the question about graffiti, because it gives the Government an opportunity of outlining the wonderful program it has in mind for the removal of graffiti. Mr Berry would know that on 15 August I announced a comprehensive approach to combat graffiti vandalism of Canberra's community assets.

Mr Berry: Mr Speaker, I raise a point of order.

MR DE DOMENICO: This is such an important issue, Mr Speaker.

Mr Berry: If it is so important, I would have expected an answer to the main question. We are at the supplementary question stage and he has just found the place. Since there is a meeting due, will the Minister give an undertaking that he will ensure that the issue is given a high priority at ANZECC? All he has to do is the same as he did before - say yes or no - and it will satisfy me. I know about the other stuff. We have heard it chapter and verse.

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MR DE DOMENICO: It is such an important issue, Mr Speaker. This Government, unlike the former one, does not believe in answering - - -

Mr Berry: Can't you go to two yeses or noes?

MR SPEAKER: Order! The Assembly was very quiet when the first two questions were being answered, but there seems to be a great deal of verbal graffiti flying around now.

MR DE DOMENICO: Mr Speaker, we are not like the previous Government, which did nothing about the removal of graffiti. Who can ever forget Mr Berry on television saying that graffiti was invented only after 18 February 1995? There was no graffiti when Labor was in government; it occurred only when the Liberal Party took office!

Mr Berry: Tell us what ANZECC stands for. Gary is writing it down for you.

MR DE DOMENICO: As distinct from your simplistic view of life, Mr Berry, this Government has a coordinated approach.

Mr Berry: Mr Humphries has passed the note over to you. Now read it and tell us.

MR DE DOMENICO: In direct answer to your question, I point out that Mr Humphries and I have in fact liaised very closely about the graffiti problem.

Mr Berry: Mr Speaker, this is about catching Ministers out. The other Minister has given him the answer. We cannot catch them out if we have such goings-on.

MR DE DOMENICO: I have not asked Mr Humphries to refer it to the committee that Mr Berry alluded to, but certainly I shall have further discussions with Mr Humphries. If Mr Humphries wants to bring it up, he will.

MR SPEAKER: There is nothing in standing orders that prevents that, Mr Berry, as you well know.

School Curricula Support

MR MOORE: Mr Speaker, my question is addressed to Mr Stefaniak as Minister for Education. Can the Minister explain how it is that he could indicate in a briefing recently that he would provide curriculum support for physical education and sport at the same time as removing such support from other more complicated areas such as English as a second language and Aboriginal studies?

MR STEFANIAK: As I think Mr Moore realises, over the last few years there has been a major emphasis on developing curriculum frameworks and student profiles. Those were completed last year, and they are widely used by schools in the development of their curriculum documents. There is no longer a need to have central curriculum expertise for each of the eight key learning areas. A refocusing of the curriculum expertise will

capitalise on the work that has been undertaken over the last three years. The focus has to shift to outcomes-based education, to reporting on student outcomes and to key strategic areas such as languages other than English, gifted and talented students, sport and physical education, and the arts. I understand that a number of people in central office are providing Aboriginal support. In fact, I think I answered a question on that about three weeks ago. I am also advised, Mr Moore, that in 1996 there will be nine senior policy officers, headed by a principal, to work on curriculum matters encompassing all the key learning areas. In addition, a principal and three other senior personnel will focus on outcomes and reporting.

MR MOORE: I ask a supplementary question, Mr Speaker. Minister, with your emphasis on sport, particularly compulsory sport, throughout the curriculum, are you aware of schools that have actually chosen now to comply with your wishes on sport having been forced to cut education in music? Do you think that in some ways sport has an intrinsically greater value than music?

MR STEFANIAK: There are eight key learning areas, Mr Moore, as you realise. You talk about compulsory sport. I note that the previous Government had a document which indicated that there should be compulsory physical education in schools up to Year 10 by the start of this year. I think it is well recognised that one of the eight key learning areas - health, physical education and sport - has been neglected and there is a very great perceived need, not only here in Canberra but nationwide, to improve that. That is the process that is currently occurring in extensive consultation with all key stakeholders, including many members of this Assembly who have availed themselves of the opportunity to partake in the process. The process is still ongoing.

Floriade - Sale of Compost Bins

MR HIRD: Floriade 1995 has been one of the most successful, if not the best, ever presented and those involved are to be commended. I direct a question to the Minister for Urban Services, Mr De Domenico, in respect of the sale of compost bins. How many were sold during this event?

MR DE DOMENICO: I thank Mr Hird for the question. I am delighted to confirm that this year's Floriade was the most successful Floriade ever. The sale of compost bins through Floriade was very successful, by anyone's estimation. As members are aware, this Government made an election commitment to provide compost bins to ACT householders at cost as an incentive to reduce household waste - in stark contrast, I might say, to the previous Government. We specifically made a site available for the sale of compost bins at Floriade and organised a promotional campaign to encourage ACT residents to use compost bins. Mr Speaker, I am pleased to say that a total of 4,100 compost bins were sold during Floriade. As an added bonus, Mr Speaker, worm farms were sold during Floriade as well. These provide a very useful method for people living in unit developments in particular to compost their kitchen scraps for use on indoor plants. A total of 1,760 worm farms were sold during Floriade.

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This is what a can-do government will do if it puts its mind to it. Did we see anything like this from the previous Labor Government? The answer is no. Who can ever forget the front page of the *Canberra Times* prior to the 1992 election when Mr Stefaniak and I called for big bins? We were called environmental vandals by Ms Follett. We were called environmental vandals by the lot over the other side. Mind you, they have changed their minds since then, which they are apt to do from time to time. Mr Hird, yes, the Government's decision to sell compost bins to the community at cost was highly successful. It means that 5,000 to 6,000 fewer households will be dumping rubbish at our tips. That will eventually result in savings of money and will be better for the environment.

MR HIRD: I ask a supplementary question. Would the Minister consider continuing the sale of the compost bins in 1996?

MR DE DOMENICO: The answer is that the Government will consider that, Mr Speaker.

Charnwood High School

MS McRAE: Mr Speaker, my question is addressed to Mr Stefaniak in his capacity as Minister for Education and Training. Mr Stefaniak, would you please explain why you, as Minister for Education, will not restore the supplementary staffing previously made available to Charnwood High School? Do you think it is right for you as Minister for Education to allow a high school to operate with a lesser range of choices of courses than is available in other high schools?

MR STEFANIAK: Ms McRae, the schools that were getting supplementation were getting it at the expense of other schools. The advice of the Education Department was that we should not continue it indefinitely. Supplementation, as you are aware, is to assist in a number of things. Certain things may be missing in schools in certain areas - - -

Mr Berry: Like teachers?

MR STEFANIAK: Not necessarily teachers, Mr Berry. A school may need specific assistance for a period of time. In the case of Charnwood and several other schools in the ACT there is a need to supplement for a period of time to give them time to get back on their feet or to do certain things. Ms McRae, the fact is that a number of schools have been supplemented for a quite lengthy period of time. Recently I attended a meeting at Charnwood with the school board and interested parties. They did not see supplementation as something that could continue indefinitely. Ms McRae, it would be lovely if we could supplement many schools in our system, but unfortunately in the ACT our finances are finite.

Ms McRae: I am not talking about many schools; I am talking about Charnwood.

MR STEFANIAK: We are talking about Charnwood. I would suggest, Ms McRae, that you ask some people there. In relation to that very question, I told them that I would be delighted if we could continue indefinitely to supplement them. Did they see that as a realistic option? The feeling at that meeting was that they did not accept that that was something that could go on forever.

Mrs Carnell: And of course it cannot go on.

MR STEFANIAK: Of course it cannot, as the Chief Minister says.

MS McRAE: Mr Speaker, I ask a supplementary question. Minister, do you agree that by your decision you have accepted that the students of Charnwood High School should be relegated to second-class citizens in our high school system?

MR STEFANIAK: Rubbish, Ms McRae; absolute rubbish! As you well know, any number of options are available for that school and for any number of schools. Supplementation is only one thing, Ms McRae. It is not effective. It is something that cannot go on indefinitely. That particular community probably realises that a lot better than you do.

Soccer Centre Development - McKellar

MS HORODNY: My question is directed to the Minister for the Environment, Land and Planning, Mr Humphries. In relation to the environmental impact assessment for the proposed soccer centre development at McKellar, why do the terms of reference not include a reference to the potential impact of the proposed development on the watertable of the area, including the impact on adjacent wetlands and Ginninderra Creek?

MR HUMPHRIES: Mr Speaker, I thank Ms Horodny for her question. The answer to that question is quite simple: It had already been done in the first stage of the assessment of the environmental impact of this proposal. As you may be aware, there are several environmental assessment stages which can be gone through before a decision is made on whether particular land can be used for a particular purpose. For any proposal covering more than 7,000 square metres, under the legislation there needs to be a preliminary assessment of the impact in a range of areas on a particular environment in which it is proposed that the development go ahead. That was conducted in respect of the soccer club site at McKellar. A number of issues were thrown up as a result of that. As I think you might be aware from my testimony before the Estimates Committee, the Government felt that it was appropriate to refer those issues to a further process of environmental consideration and public report - a second, more advanced stage of environmental assessment.

The first stage of assessment, the PA, did not suggest that there was a significant problem with the quality of water in Ginninderra Creek or in Lake Ginninderra. Indeed, the report that was available suggested that the nutrient level in Lake Ginninderra would be affected by a margin of less than one-tenth of one per cent by building work on the site at McKellar. In the circumstances the evidence was very strong that the proposal as put forward at that time did not generate a problem to do with quality of water.

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Because of that, the second stage assessment looked at issues which, in the view of the people assessing the PA, were much more live issues in the Belconnen community: General amenity to nearby households, noise, and traffic problems. They were the three significant environmental issues as determined by the PA. For that reason, the terms of reference of the public environment report include those things principally - not the issue of water quality, which was covered in the initial assessment.

MS HORODNY: I ask a supplementary question. The preliminary assessment was essentially an engineers report and did not cover the very issues that I am talking about. Submissions that were sent in during that assessment covered this very important issue but have been ignored in the terms of reference of the EIA that is under way at the moment, so I ask the question again: Why have those issues been ignored?

MR HUMPHRIES: Mr Speaker, I reject the assertion in this question that they were ignored. They were an intrinsic part of the initial preliminary assessment of the environmental impact of this development on that site. I saw the press release the Greens issued on this subject, which suggested that the people who are proposing a particular development have been given the carriage of the preliminary assessment. The press release implied that the Government was letting the people whose interest it is to see this go ahead do the work on the environmental impact. That may be the case, but that is not the result of any Government decision, Ms Horodny. It is the result of legislation that passed through this place with, as I recall, unanimous support. That legislation provided that proponents of development ought to be responsible for their own preliminary assessment. You criticised the assessment done at Mawson for the same reason. If you do not like that process, you should prepare amendments to the Land (Planning and Environment) Act so that we can guarantee some different method of doing it. We have no choice but to put it through that particular wringer, because that is the way the legislation is drafted. I reject the suggestion that this was not properly assessed in the early stage. I invite Ms Horodny to examine the evidence put before the Planning Authority and the work done by the Planning Authority on assessing the validity of that preliminary assessment. If she has further concerns, I am happy to discuss them with her.

Taxi Licence Auction

MR WHITECROSS: Mr Speaker, my question is addressed to Mr De Domenico in his capacity as Minister for Urban Services. I refer Mr De Domenico to the advertisement in Saturday's *Canberra Times* indicating that 15 taxi licences were due to be auctioned on Wednesday, 25 October. Can the Minister advise what process was used to decide who would auction these plates? How many auctioneers applied? What criteria were used to decide which auctioneer got the job? Who got the job? What arrangements exist for paying commission to the successful auctioneer? How much will the auctioneer be paid?

MR DE DOMENICO: I thank Mr Whitecross for his question. Mr Speaker, the Department of Urban Services invited tenders from seven auctioneers listed in the Canberra telephone directory. The lowest tender received was from Harold Hird and Associates, who were subsequently appointed to conduct the auction. I understand that the auctioneers fee is being donated to a local charity.

MR WHITECROSS: I ask a supplementary question. I asked several questions, and I am not sure that I have been given the answers to all of them. I asked how many applied, not how many were invited.

Mr De Domenico: Seven.

MR WHITECROSS: You said that seven were invited. I asked how many applied. I asked what criteria were used to determine the successful auctioneer. I am not clear whether I was given an answer to that.

Mr De Domenico: The cheapest.

MR WHITECROSS: I asked what commission was to be paid, and Mr De Domenico has not answered that at all.

MR DE DOMENICO: Seven people put in tenders, Mr Whitecross. I answered that the first time, but I answer it again. The criterion was: Who was the cheapest? The cheapest tender was \$250, and that happened to be from Harold Hird and Associates.

Mr Whitecross: Is that \$250 per plate or for the whole day?

MR DE DOMENICO: A flat rate of \$250.

Mr Whitecross: For the whole consignment?

MR DE DOMENICO: They were appointed to conduct the auction on that basis. All unsuccessful tenderers have been notified in writing. I can also tell you that a Mr Michael Hawkins from Capital Property Auctions subsequently raised concerns, as I did, with Transport Regulation regarding a possible conflict of interest in Harold Hird and Associates receiving a contract from the Government to conduct the auction. The contract services unit of the Department of Urban Services have advised that the correct procedures have been followed and that there was no conflict of interest, because Harold Hird is - - -

Ms McRae: Have they read the self-government Act?

MR DE DOMENICO: You listen. You might learn something. Harold Hird's status as a Government MLA played no part in the selection process. Harold Hird and Associates have advised that the auction fee will be donated to Fabric - Family Based Respite Care Inc. - a Belconnen-based charity.

Special Schools

MR WOOD: I think there are a few questions yet to be asked about that business we have just heard about. My question is directed to Mr Stefaniak as Minister for Education. Mr Stefaniak, can you guarantee that, as you promised during the election campaign, you will not close or wind back the operation of special schools in the ACT?

MR STEFANIAK: Excuse me, sir. "Special" comes under "S", does it not? Yes. That would be your next comment, I imagine.

Mr Humphries: Look under "S" for "silly question".

MR STEFANIAK: Yes, I think so. Mr Wood, in relation to special education, I think again I have - - -

Mr Wood: I do not want just the script.

MR STEFANIAK: You will get the script and you will get a few other things as well. If you just shut up and listen, you will get a few things. In fact, we might even be voting the same way on something in November, I understand.

Mr Speaker, the Government is certainly not reviewing special education in terms of cutting resources. The Government is committed to ensuring that all students with disabilities receive an appropriate education. Indeed, a report by Dr Loretta Giorcelli recently recommended a review. Pending the outcome of the review, the Government will maintain all the existing programs and, as I think I said to the Estimates Committee, will provide the opportunity for four new students to join the integration program in 1996. As I indicated, the recent evaluation of the integration program by Dr Giorcelli recommended the review. We are responding to that and to the compelling need to examine the relationship between the special and mainstream school settings for students with disabilities. This Government believes that education is the right of all children, and we will maintain our efforts in that area. What the review is intended to provide is a more effective way to use existing resources. The review will commence this year, and it is proposed to have it finalised early next year so that its findings can inform and influence the 1996-97 budget process.

MR WOOD: I ask a supplementary question, Mr Speaker. Perhaps if Mr Stefaniak gave the Opposition his briefs we could ask the question that would allow him to answer properly, but that is not the way we operate. Mr Stefaniak said that all students needing special education will receive appropriate education. Why then, Minister, are you reducing the impact of the integration program? I heard you say to the Estimates Committee that, instead of six or more students per year, you will be enrolling only four additional students next year. I ask especially, because in this place about a year ago the person presently in the chair complained bitterly about 45 or 47 students being on the waiting list.

MR STEFANIAK: Actually, Mr Wood, I do not have those figures, but I think you might find that the waiting list is not so long now. Mr Wood, I seem to recall earlier today going through a report from when you lot were in government. I still remember the figure of 21 in the integration program. I believe that it is now 27. With another four places which we have made available in the budget, it is an increasing program. That is the integration program. There are also a number of children with special needs not in that program but in general mainstream schools. There are also the special schools. One thing I have done which you certainly did not do as the Minister is get the parents together and get the various organisations together to talk to the department so that they can bring up any problems and concerns in relation to integration and special needs. This Government sees it as a very important area.

Mr Wood: And the result presumably was to reduce the number of students going through the integration program.

MR STEFANIAK: We increased it by four. That is not a reduction. You must not have been a maths teacher.

Mrs Carnell: I ask that all further questions be placed on the notice paper.

PUBLIC ACCOUNTS - STANDING COMMITTEE
Report on Review of Auditor-General's Report No. 8 of 1994 -
Government Response

MRS CARNELL (Chief Minister and Treasurer) (3.20): Mr Speaker, for the information of members, I present the Government's response to the Standing Committee on Public Accounts Report No. 1 entitled "Review of Auditor-General's Report No. 8, 1994 - Financial Audits with Years Ending to 30 June 1994". I move:

That the Assembly takes note of the paper.

Mr Speaker, in May 1995 the Standing Committee on Public Accounts presented to the Assembly its Report No. 1. The Public Accounts Committee's report covers the Auditor-General's Report No. 8 of 1994, "Financial Audits with Years Ending to 30 June 1994". The Government has given careful consideration to each of the recommendations of both the Auditor-General and the Public Accounts Committee, and I will respond to each of these in turn.

First, there is a need to increase qualified and experienced accounting resources in the ACT Government Service. Mr Speaker, in order to increase the accounting skills of the staff in the ACT Government Service, the Office of Financial Management provides financial management training. Officers from a range of agencies have attended courses designed to increase their skills in accrual accounting and financial management. Short courses on key public sector accounting issues such as credit card use have also been provided. These training courses are also supported by the Studybank program, which assists officers in increasing their formal qualifications.

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The second issue raised was the net capital losses on investments during 1993-94, which amounted to \$10.5m. Mr Speaker, these losses are in relation to the investment of funds held in the Superannuation Provision Trust Account and are in large part unrealised at this time and represent a decline in the value of investments held. I direct members' attention to the Government's response on this issue.

The third issue is the need for strategies to address the funding needs of the Office of the Public Trustee. The Government reviewed the funding levels of the Office of the Public Trustee in the 1995-96 budget context. This was undertaken as part of an annual review process and also in light of the recommendations contained in the Auditor-General's report. In view of the significant improvement in self-generated revenue from business operations of the office, the Government did not see the need at this time to increase funding to the office but will keep the matter under review. The fourth issue that was raised by the PAC is that the Office of Rental Bonds does not have an adequate trust ledger. Mr Speaker, I am pleased to advise members that the Office of Rental Bonds now has the ability to produce a full trust ledger from its new computer system.

The next issue raised by the committee was that the Auditor-General has no involvement in the financial audits of land development joint ventures in which the then Department of the Environment, Land and Planning is participating. The joint ventures are audited by private auditors, which is consistent with the long-established arrangement of using private sector services and expertise wherever possible in joint venture developments. Although the Auditor-General does not audit the financial statements of each joint venture, he was required to verify the accuracy of the joint venture information included in the former Department of the Environment, Land and Planning's financial statements. This information was verified without qualification. The Auditor-General has been advised that he has access to the records of the joint ventures at any time and, indeed, is currently conducting performance audits of two joint ventures. The committee was also concerned that the Canberra Theatre did not match revenue to programming costs and operating commitments in 1994-95. Mr Speaker, these matters have been fully explained in the Canberra Theatre's financial statements for 1993-94, and I direct members to the Government's response on this issue.

The committee also raised the issue that costs for areas directly under the control of ACTEW, such as "operations and services" and "corporate and administration", have significantly increased over the past three years. Mr Speaker, ACTEW's "operations and services" expenditure has, in fact, decreased in real terms from 1991-92 to 1993-94. In the past three years the only increase in "operations and services" expenditure occurred in 1993-94, largely due to cyclical repairs of major pipelines and sewerage filters. These were necessary costs incurred in order to maintain the level of service currently enjoyed by the ACT community. Increases in "corporate and administration" expenses over the past three years have occurred partly as a result of changes in accounting methods, partly through a major system of business development activity intended to improve the long-term efficiency of ACTEW's business, and partly as a result of increased promotional activity in respect of, for example, the ACT's water futures strategy.

The next issue that was raised was that the Department of Urban Services does not have appropriate procedures to ensure that all moneys due from car park leasing contracts have been received. The Auditor-General suggested that, in relation to car park leasing contracts, audited financial statements be provided within one month of the end of the financial year. This has been agreed to by lessees. With regard to the audit suggestion in relation to the provision of cash register audit tapes, Transport Regulation has concluded that there is no benefit in obtaining voluminous records of a large number of very small transactions. Financial statements will be closely monitored to achieve a satisfactory level of accountability.

The committee was also concerned that a redundancy payment of \$70,000 may not generate any savings for ACTION and the payment may have been made unnecessarily. The ACTION redundancy payment was subject to the usual payback arrangements and therefore was not made unnecessarily. The position in ACTION to which the officer was to have been transferred and the position against which the officer was substantively held in the corporate development group have been abolished.

The last issue raised by the committee was that Exhibition Park has experienced significant operating losses over recent years. Mr Speaker, the losses largely relate to the depreciation and maintenance of buildings. Exhibition Park has, in general, met its running costs. The Government has recently received a report recommending changes to improve Exhibition Park's commercial viability. The Government will release this report in due course for discussion, as this really is an important issue.

MR MOORE (3.29): Mr Speaker, I thought I would say a few words about Mrs Carnell's response to the Public Accounts Committee. I think it is a positive thing that the Government takes such care to respond to each issue raised by a committee. I am concerned about the response to the final point about Exhibition Park, particularly in the light of her Government's appropriate approach to accrual accounting. In her response to the first point about the need to increase qualified and experienced accounting resources in the ACT Government Service, she said that officers from a range of agencies have attended courses designed to increase their skills in such things as accrual accounting and financial management. Then, at the end, we have what I can only perceive as an excuse. She said:

Mr Speaker, the losses largely relate to the depreciation and maintenance of buildings. Exhibition Park is, in general, meeting its running costs.

The whole purpose of accrual accounting is to bring to the accounting process issues such as the depreciation of buildings, so that we do not have accountancy about just running costs and cash but we have accountancy that takes in the whole gamut of things that affect the viability of any organisation. The Chief Minister also indicated that there will be a further report coming on Exhibition Park. I hope that that report will not in any way use what appears to be an excuse, and reads in this paper as an excuse. I imagine that the Public Accounts Committee took this up in order to draw attention to that very issue.

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When I was a member of the Public Accounts Committee - Mrs Carnell was also a member - we did work on accrual accounting. As I recall - Mr Kaine and the Chief Minister may correct me - we brought down a unanimous report recommending a move to accrual accounting as quickly as possible. That move has been advocated also by the Auditor-General and, largely, has been accepted by the Government. I think that if we are going to be in the right frame of mind for this sort of thing we must not make excuses for any sector within the Government that does not work in a viable way. Their excuse is, "Well, that is not recurrent. It is just part of our running costs. We got them okay and the depreciation and so forth does not matter". It does matter. It is important that such organisations are running appropriately. It is important that we have appropriate procedures to ensure that such organisations are fully accountable.

MRS CARNELL (Chief Minister and Treasurer) (3.32), in reply: I take Mr Moore's points on board with great pleasure. It is true that the current operation of EPIC is less than satisfactory. I think the point I was trying to make in that last statement was that just meeting operating costs and not really getting the whole of EPIC's operating structure up to some sort of commercial viability is simply unacceptable. Maintenance of the buildings, getting the buildings up to scratch so as to be able to handle future development, simply has not been happening. Mark Baker, the chief executive of the Advance Bank, was appointed to bring down a report. That report is currently with the board of EPIC. There are, I think, some 26 recommendations which will bring EPIC up to a situation where it will achieve commercial viability. That takes into account depreciation of buildings and future capacity for the centre to generate substantially more business within three years. That is what we are looking at at the moment. The total amount of money that probably will be needed to be spent over that three-year period may be as much as \$2.5m. I think \$500,000 has been set aside in this budget to start getting the buildings up to scratch. I totally agree that there is absolutely no benefit whatsoever in reporting on an operation like EPIC in anything but an accrual way so that we can see what it is really costing the taxpayer.

Question resolved in the affirmative.

PAPER

MR HUMPHRIES (Attorney-General): Mr Speaker, for the information of members, I present the "Woden Valley Hospital Information Bulletin - Patient Activity Data" for August 1995.

EXECUTIVE BUSINESS

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

That so much of the standing orders be suspended as would prevent precedence being given to the following orders of the day in sequential order, when Executive business is called on:

- (1) No. 7 relating to Law Reform (Miscellaneous Provisions) (Amendment) Bill 1995;
- (2) No. 8 relating to Guardianship and Management of Property (Amendment) Bill 1995;
- (3) No. 3 relating to the ministerial statement on the Australian Transport Council Meeting; and
- (4) No. 4 relating to the ministerial statement on sport and recreation.

LAW REFORM (MISCELLANEOUS PROVISIONS) (AMENDMENT) BILL 1995

Debate resumed from 21 September 1995, on motion by **Mr Humphries**:

That this Bill be agreed to in principle.

MR CONNOLLY (3.35): Mr Speaker, the Opposition is happy to cooperate, in our ever cooperative and friendly manner, and get the Government out of their hole and actually get a few Bills debated today. The Law Reform (Miscellaneous Provisions) (Amendment) Bill addresses a fairly small and some may say obscure, but nonetheless significant, little rule of law which emerges from the subject known as conflicts of law. Of all the more difficult and obtuse subjects that a law student goes through in order to get a law degree, most would probably agree that conflicts of law is one of the more testing, complex and little understood areas.

Buried away in the textbooks is the rule in the Mozambique case which Mr Humphries has sought to summarise in the explanatory memorandum. It is not a rule easy of summary, and I will not go further than the explanatory memorandum. Needless to say, though, it has been criticised for many years in the process of law reform. As is so often the case in the process of law reform, these little black letter provisions often get criticised by the courts, and there is often a delay in legislatures getting around to remedying them.

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A program that has been in place for some years now in the ACT Attorney-General's Department is the law review program. As opposed to the law reform program, which tends to take the large and slightly more glamorous leaps forward in law reform, dealing with things like victims of crime and landlord and tenant law, the law review unit beavers away on some of these obscure areas and regularly brings forth into this Assembly, under successive governments, little Bills like this which address what has been seen to be a problem. In effect, this Bill will allow personal actions between parties who reside in the ACT even though those actions involve land which may be situated outside the ACT. It makes enormous sense to allow such actions to be brought. The old, really medieval law which prevented them was quite irrelevant. There have been attempts by the courts to resolve this; but, as is so often the case, the common law approach to reform can be slow and frustrating. It is appropriate for jurisdictions to legislate, and the Opposition supports this Bill.

MR HUMPHRIES (Attorney-General) (3.37), in reply: Mr Speaker, Mr Connolly has summarised the content of the Bill quite well and I will not add to anything he said. There was one issue raised by the Scrutiny of Bills Committee concerning possible retrospectivity entailed in this amendment to the legislation. The legislation provides that the law changes immediately the Bill is gazetted. That obviously means that some people with an action potentially in train, or about to be brought in the court, might have that action affected by the operation of this change. It has not been possible, from the best of our endeavours, to work out whether there are any such actions around. The rule in the Mozambique case is hardly one of the things that trip off most lawyers tongues each day as they pass through the courts in their legal life.

Mr Connolly: You do not keep a special registry of such matters?

MR HUMPHRIES: We do not have a special registry on applications under the Mozambique case rule. It is probably to do with government cutbacks, Mr Connolly. You could prepare a press release out of that if you want. Mr Speaker, even if there were such cases, I think it is very hard to determine whether the retrospective effect would be detrimental or beneficial. Clearly, the rule is a quaint, outdated and illogical rule which should be repealed. Just as it might possibly prevent from defending an action successfully on the basis of that rule somebody who otherwise should not be able to defend an action, similarly it gives other people who ought to have an action in our courts the right to bring that action. In the hypothetical sense that there are some people out there who are affected by this change in the law, these people deserve to have the situation remedied so that the law is logical and, as far as possible, delivers a just result. Clearly, the rule in this case has been unjust and illogical and should therefore be removed.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

**GUARDIANSHIP AND MANAGEMENT OF PROPERTY
(AMENDMENT) BILL 1995**

Debate resumed from 21 September 1995, on motion by **Mr Humphries**:

That this Bill be agreed to in principle.

MR CONNOLLY (3.40): Again, this is a Bill that has been brought on today, but we are happy to cooperate. This picks up a little anomaly that, I guess, was not foreseen at the time the Guardianship and Management of Property Bill was put through the Assembly. That was a very significant Bill, which allows simple form proceedings to be taken to allow the affairs of somebody who is incapable of administering their own affairs to be looked after. Previously, for persons who, through age or infirmity, were unable to conduct their own affairs, it was necessary to bring an action under the Lunacy Act, which was a most undignified way of doing things. There are a whole range of reasons why somebody may be infirm. One may be illness. People may be, say, extremely ill and waiting on a hip replacement. I noted in the document slipped in by Mr Humphries a few minutes ago that the waiting list for hip replacement, orthopaedic surgery, at Woden Valley Hospital has jumped from 401 in March 1995 to 495 in August 1995 - a 25 per cent increase.

Mr Humphries: I raise a point of order, Mr Speaker. I do not think this has much to do with the Guardianship and Management of Property Act, edifying though it must be to all of us.

MR SPEAKER: I must uphold the point of order. Relevance, Mr Connolly.

MR CONNOLLY: Mr Speaker, as I was saying, this is an Act which allows a person who is infirm and unable to conduct their affairs to have their affairs properly conducted. I said that there were many reasons which may lead to that infirmity, including serious illness, and some forms of serious illness may involve people waiting for hip replacements. One of the most emotive issues that Mrs Carnell went on and on about during the election was hip replacements. I note that a 25 per cent increase in the orthopaedic surgical waiting list at Woden Valley Hospital was not - - -

Mr Humphries: They might do brain replacements as well, if Mr Connolly asks kindly. I think this really is a very long bow and it should not be permitted.

MR SPEAKER: As I say, he has an "A" for ingenuity. Mr Connolly, I really must ask you to get back to the topic.

MR CONNOLLY: Mr Speaker, the Government's sensitivity to a 25 per cent increase in the orthopaedic waiting list at Woden Valley Hospital is understandable. Mr Humphries is doing a sterling job in attempting to defend his now departed Health Minister.

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However, to return to the nub of the matter, there was a glitch which I was not aware of when the Bill was put through. When a person has interests which involve a share portfolio, if the Public Trustee is involved in administering the estate the Public Trustee is required, in effect, to liquidate that share portfolio and place the assets into a common fund. That clearly may not be in the best interests of the person. A trustee normally is given fairly broad discretion under the law to act in the best interests of the person whose assets are being administered.

As the Minister points out in his speech, and we can but agree, there clearly are circumstances where to sell an asset portfolio in order to put the money into a common fund would be a very foolish thing to do. In the event of another Poseidon boom and a person having such shares with a rapidly rising asset price, selling those shares to put the money into a common fund could clearly result in the individual losing out rather badly. This Bill removes that provision and gives the Public Trustee a broad form of discretion as to what to do. One would hope that the Public Trustee, wildly enthused with this ability, would not start playing the market and trying to make decisions as to which shares were going to go up and which shares were going to go down. One can, I think, rely on the discretion and prudence of the Public Trustee in the ACT.

This is a small but sensible reform. Persons who, at the moment, could suffer a loss because the portfolio needed to be sold, will have their portfolio protected and sensibly administered during the period of the order. It is, again, a small but significant piece of law reform. This is the sort of glitch which you would expect to see coming up in a review of legislation like the Guardianship and Management of Property Act, which has been in force now for a few years. Teething problems like this emerge. The Opposition supports the Bill, but notes the 25 per cent increase in the orthopaedic waiting list at Woden Valley Hospital.

MR HUMPHRIES (Attorney-General) (3.44), in reply: I thank Mr Connolly for his informative but largely irrelevant dissertation on this Bill. Mr Speaker, the Public Trustee, I am sure, will welcome the capacity to be able to deal more flexibly with the investments which he or she has to administer from time to time. I should inform the house that we are beset once again with an Acting Public Trustee. That person may wish to have more flexibility in the way in which that task of managing those assets of the public is approached. Even though the conservative list of risk free, secure investments is now to be widened so that you can invest in matters which attract not only interest but also capital gain, the inherent nature of the public trusteeship, I am sure, will prevent any wild investments in things that are speculative and unwise.

This move comes against the background of some problems in recent years. Members will recall the unfortunate circumstances of the Burns Philp Canberra company's collapse. That certainly caused some concern, and it is still having ramifications for administration of this area of public policy. I do think that we need to be ensuring that our desire to protect investments of a public nature is not so constrained that it is simply not possible for there to be a range of choices available, not only to the Public Trustee but also to any other trustee who may be in that position. Mr Speaker, I think it is important for us to be able to provide that flexibility. This legislation does that, and I welcome the support of members of the house for it.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

TRANSPORT MINISTERS MEETING - PERTH Ministerial Statement

Debate resumed from 9 May 1995, on motion by **Mr De Domenico**:

That the Assembly takes note of the paper.

MR MOORE (3.47): Mr Speaker, I would like to say a few words about this ministerial statement following the Transport Ministers meeting held in Perth on 21 April. The first point to note, Mr Speaker, is that in the third paragraph of the statement the Minister said that Ministers had endorsed a national strategy to make public transport more accessible for people with disabilities and had agreed to release the report. What concerns me, Mr Speaker, is that the program is aimed over 20 years. In the Minister's response I would be very interested to hear why such a clear need would take 20 years to implement. It would seem to me that accessibility to all modes of public transport, particularly in Canberra, should be able to be managed quicker than that. I understand that, in some States where they have rail, for example, as their mode of transport, there will be issues that they have to deal with that are not so important to us. That would include major modification to very expensive rolling stock and to capital works.

There is another point I would like to raise. At the bottom of page 3 of the copy of the speech that Mr De Domenico tabled there was a reference to the extension of the national heavy vehicles driver licence to all drivers of vehicles over 4.5 tonnes gross vehicle mass. It is high time that that happened. There were moves on this a couple of years ago. I hold one of those heavy vehicles driver licences. It may surprise Mr De Domenico to know that not only do I have a licence for semi-trailers but I also have one for buses, including one for fare paying passengers - a licence that I maintain and earned the hard way. Mr Speaker, I think this is particularly important.

It is also important that the Ministers work together to ensure the principle that I think is referred to here as a "one licence, one driver" protocol - the notion that a drivers licence issued in one State cannot be duplicated by another drivers licence issued in another State by somebody using perhaps a family address or something along those lines. Similarly, Mr Speaker, I think it is incumbent upon Transport Ministers to work together on such issues as ensuring that, where somebody speeds, for example, and receives a penalty in one State, those penalty points are also lost in the other State. When a driver from the ACT speeds in New South Wales and receives a penalty, that penalty, first of all, has to be paid, and when penalty points are involved those points come off the licence.

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This sort of cooperation is an important part of what these ministerial councils are about. When people talk about our being a local council and having local council responsibilities, I often wonder how they feel that we would deal with such issues as this. Our Ministers go and represent us at ministerial councils on issues such as transport, education and policing matters. We have those responsibilities and it is appropriate that they are represented in these ways. I think it is naive to suggest, other than for some political gain, that we can be, in any way, a local council. I think the Liberals worked on that very well at the last election. Fortunately, it was not taken particularly seriously. From that point of view, Mr Speaker, I have always said that it does not really worry me whether I am an MLA or an MLC - a member of the Legislative Assembly or a member of the Legislative Council. If we do turn out to be members of the Legislative Council, no doubt members will move to have the word "honourable" put in front of their names as well. Perhaps that council option might then bring some criticism from the community.

In the third last paragraph of Mr De Domenico's speech he points out that Ministers at their next meeting will discuss the notion of a 50 kilometres an hour speed restriction in residential areas. When we know that things like that are coming up I think it is very important for our Minister to understand what it is that the rest of the Assembly believes. I have real doubts as to whether that would be particularly useful in Canberra. On the emotive side, everybody can say, "Yes, if we have 50 kilometres an hour we will have fewer road deaths or fewer road accidents". I am not convinced that that is necessarily the case in Canberra.

I have seen some work done on the 50 kilometres an hour issue and I believe that the research that was done was completely inadequate and a lot of the extrapolation from the research was questionable. Politically, in some ways it can be seen to be very good. In cities like Sydney, Adelaide and Melbourne, where there are a series of cross streets, there are entirely different reasons why you would establish a 50 kilometres an hour system. It may well be that a majority of members of the Assembly do feel that it is appropriate for us to go that way. As you are a minority government representing in this case an Assembly that would seek to change legislation like that, when you know that it is coming up you should check with the Assembly first to determine whether you would have general support for such legislation. Mr Speaker, I am delighted that Ministers share with members of the Assembly what happens in ministerial councils. I think it is very important. It is also important for them to understand that when making such agreements other members ought to be involved where possible.

MR SPEAKER: Members, I would like to acknowledge the presence in the gallery of a former member, Mr Lou Westende. Welcome.

MR DE DOMENICO (Minister for Urban Services) (3.54), in reply: Mr Speaker, I thank Mr Moore for his contribution. This was the first ministerial council that I have attended. It was in April this year, and I attended because it was a commitment given by the former Minister for transport, Mr Lamont. I was delighted to do so. What I was doing, literally, was agreeing to the decisions made by Mr Lamont when he was the Minister for transport. This is one of those areas where I think you will find that there will be very little difference between political parties, and even the Independents, on the things that are discussed at these sorts of conferences.

Mr Moore did mention the agreement by all Ministers for Transport of all political persuasions about the disability thing to be put in by the year 2015. It was something that was also agreed to by the Federal Transport Minister, Mr Brereton. I agree with Mr Moore that 20 years is too long to wait to enable people with disabilities to have access to public transport. With that in mind, Mr Moore would be aware that the ACT was the first of all jurisdictions to have buses that are accessible by people in wheelchairs. Mr Moore would also be aware that we have on order 10 mini-buses, I think, all of which will have chassis capable of being lowered to enable people with wheelchairs to have access. I can also tell Mr Moore that whilst I was in Western Australia I was happy to see that the train system there has been revamped in order to enable people with wheelchairs to have direct access on those trains. They are lower and are level with the platform. There is some fabulous innovative work being done in Western Australia.

Mr Moore mentioned that the heavy vehicles driver licence and the "one licence, one driver" issues were discussed. I was aware of Mr Moore's capability of taking on passengers from time to time. I can remember when he lived in Gowrie. He used to drive people around Tuggeranong using bus access lanes. Was it you or someone who looked very much like you, Mr Moore, in another life? I am also well aware of Mr Moore's brother's involvement in the transport industry in South Australia and some of the statements made. Mr Moore also mentioned points in one State being also lost in a mutual recognition way, and I agree with that as well. I think you are either a good driver or a bad driver, notwithstanding where you are driving. All those issues that Mr Moore mentioned were issues that Mr Lamont, the former Minister, had on board. Mr Moore also talked about the benefit of having ministerial councils and said that, in his view, when we talk about council-style governments we are really only mincing words. Perhaps Mr Moore is right, perhaps he is wrong; I am not going to comment on that.

Mr Moore mentioned the 50 kilometres per hour speed limit. When I came back the first question I was asked was whether the ACT Government had any intention of introducing the 50 kilometres per hour limit. From time to time we have organisations like the NRMA which perhaps do not have the best interests of only the people of the ACT at heart. I must say that they do have the interests of the ACT at heart from time to time. I think I said in a radio interview that you have to take into account the idiosyncrasies of the ACT before accepting willy-nilly something that perhaps is going to work in New South Wales or elsewhere. I acknowledge Mr Moore's comment. I agree that before any government of any political persuasion decided to do something as drastic as changing speed limits to 50 kilometres per hour it should seek the approval of this Assembly. All in all, Mr Speaker, I welcome Mr Moore's comments and those of anybody else who spoke on this matter - it has been so long that I have forgotten - and I commend the report to the house.

Question resolved in the affirmative.

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SPORT AND RECREATION - GOVERNMENT SUPPORT
Ministerial Statement

Debate resumed from 30 May 1995, on motion by **Mr Stefaniak**:

That the Assembly takes note of the paper.

MR OSBORNE (3.58): Mr Speaker, in his ministerial statement on government support for sport and recreation the Minister makes considerable mention of an increase in compulsory school sport and physical education. Since this statement was presented to this Assembly in May he has made several announcements about the introduction of various guidelines which will put his ideas into practice. I am in favour of change being made to our current system to achieve a greater level of health and fitness for our young people. I am, however, concerned that the Minister keeps in mind the balance needed between physical education and the other two parts of the school health syllabus as well, namely, health and personal development.

As the Minister will be well aware, the aim of the health syllabus is for our children to learn about health at more than just a physical and competitive level for the short period of their lives that they attend school. If one of these three areas is out of balance, as it has been in the past, the whole program, and consequently our children, will suffer. The Minister, I feel, will need to be careful that in his attempt to reverse an imbalance he does not create another one, so I am expecting a good result from the consultation the Minister is having and has had with the P and C councils and interested school groups. Since I am such a big fan of people playing sport and the Tuggeranong Valley has such a large number of children, I am particularly concerned that the Minister gets his balance right for the future.

Mr Speaker, in addition to the Canberra Raiders and the Kookaburras, we are indeed rich with an abundance of quality sporting teams who have achieved very well in a wide range of sports in national and regional competitions in recent years. Next year, too, we will see the addition of the Kookaburras in the new rugby union Super 12 competition and the possibility, although small, of an AFL team representing our city as well. I am a great supporter of teams from Canberra being involved in national and regional competitions, and for our city to become increasingly involved in hosting both national and international events. Sports-based tourism is definitely a viable option for Canberra if it is given the right priority by government, is advertised properly both locally and internationally, and is well organised in good quality facilities.

Mr Speaker, one positive outcome of all this is the possibility of improvement in the use of Bruce Stadium. Some of you may be interested to know that a fair while ago I made my peace with Ron Cahill from ACTAFL, although I was very disappointed earlier in the year to discover how quick some people had been to misrepresent what I had said about Bruce Stadium.

Mr Moore: We all make mistakes, Paul.

MR OSBORNE: I made no mistake. All of my comments at the time centred on finding the best solution for each sport in the city in regard to grounds and facilities. However, in regard to an AFL side being permanently based in Canberra, and in light of the criticism that I did cop at the start of the year from the many AFL supporters, I feel that it is time now for ACTAFL to either put up or shut up. It is time for them to show that they can bring a side here or else crawl back into their holes and let those who can use Bruce Stadium properly get on with the job. I might add, Mr Speaker, that I am a big fan of AFL and I do hope that we get a side.

On the subject of grounds and facilities, I agree with the Minister in his statement that facilities are the key to increased sporting participation. It is pleasing to me and the people of Tuggeranong to see plans for the indoor centre and the upgrading of the Erindale Centre, and to see plans on board for a range of other sports-related developments in the valley. All of these developments are badly needed and their initiative is to be applauded. I am led to believe that a lot of them did come from the previous Government.

However, in considering the wider picture, I encourage the Minister to look at the maintenance and continued development of some of the grounds and buildings that we already have. There are many ovals and fields throughout the city where various types of football, athletics and other sporting games are played on the weekends, and there are no change rooms or toilets for either the players or the spectators. It is clearly the responsibility of the Government to do something about this. All that the kids and parents are left with at present is the trees at the end of the field, which is a bit of a problem if you are a female.

The disgraceful state of a number of our outdoor playing fields is another area that I think needs looking at too, Mr Speaker. Many of these fields have been subject to substandard levels of maintenance for the past year or so and, as a direct result, are now a real danger to people who participate on them. Earlier this year one of Tuggeranong's best young rugby league players was permanently sidelined from an injury which was directly related to the shocking state of Wanniasa Oval, which I can vouch for and which I did play a game on this year, Mr Speaker. I lost a fair amount of bark there. The latest problem to be brought to my attention about sports fields is the poor condition of some of those at our schools.

Mr Berry: If you lost a bit of weight you would not fall so heavily.

MR OSBORNE: It was one of the very rare times that I was tackled, Mr Berry.

A very distressed mother rang my office last week about her 12-year-old son who unfortunately tore all the ligaments in one of his knees playing football on a primary school field in Tuggeranong which was full of humps and hollows from the lack of care by the Bureau of Sport, which is contracted to maintain school fields in good condition.

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This boy cannot have an operation to fix his knee for another seven years, when his leg will be fully grown. I am sorry, Minister, but this is just not good enough. I am very happy that the elite sports program at the ACT Academy of Sport has been set in concrete, but I feel that something needs to be done now to stop our sports fields from maiming these young players, who will never, I suppose, participate at the elite level, and to ensure that they have some future with sport. In this respect the budget was disappointing, as I had hoped that these two concerns about facilities would have attracted a bit more attention from the Government.

MR MOORE (4.05): Mr Speaker, if I were the Minister who put out this statement I would be embarrassed. If he is not embarrassed now, I hope that by the end of my speech he will be embarrassed. Mr Speaker, this is a ministerial statement on government support for sport and recreation, and what is not said in it is the most critical thing. The word "recreation" is mentioned a couple of times but only in the context of bodies that have the word "recreation" in their name. So where is the recreation, Minister? What are you doing about it? Are you just a Minister for Sport, or are you a Minister for Sport and Recreation?

Following on from the supplementary question I asked at question time today, it is fine to be supporting things about sport, and I encourage you in that; but there is a flip side. There are two sides to it, and the second side is recreation. In schools, for example, where we get three hours of compulsory sport - and you talk about the eight key learning areas - we find that students who have been involved in music programs are no longer able to do so. The question I asked you at the time, which you did not attempt to wrestle with, perhaps for good reason, was this: Is there some intrinsic value in sport that is higher than the intrinsic value in music? As far as my children are concerned, I want them to be involved in sport, but I also want them to be involved in music, in drama, and in other recreational activities, whether it be bushwalking or whatever.

As I open the paper, Mr Speaker, I see that I did miss the word "recreation" used in one spot other than in a title. On page 2, in a dot point there, you talk about encouraging community involvement in sport and recreation. But my theme still remains the same. By and large, the whole paper concentrates entirely on sport, with hardly a mention of recreation, and I think that should be an embarrassment to you, Minister. I do not know to whom you passed the speech around to double-check, but I would have thought that your department would have drawn to your attention that there was an area here that had been missed. You could have gone on for another two or three pages anyway to deal with the issue of recreation.

Having dealt with you, Minister, for a quite long time - on and off for six or seven years - I understand that you do have a genuine commitment to recreation. It is overweighed in your own mind, I am sure, by your enthusiasm for sport; but I think that in this instance, when you were making a statement on sport and recreation, you had to do exactly that, and I think that is disappointing. I found it very interesting, Minister, that on page 7 of the statement, as you put it out, when you were talking about physical education and school sport, you said this:

As the Minister for both portfolios I have been able to tackle this issue "head-on" (like a strong forward in a scrum) ...

I would say that those on the opposite side of the scrum - the P and C council, the teachers union and members of the Opposition - have pushed you well and truly back in your scrum. I have to say that, by and large, you lost the ball for a while. I am pleased to say that you have picked it up again, but you are a long way back from where the ball was thrown into the scrum.

Mr Speaker, it seems to me that what we ought to see from this Minister is not only a statement on sport, which includes racing and motor sports, but also a statement on recreation. Perhaps the way to correct this is for him to come back into this Assembly at a further time with a statement on just what he is doing about recreation. As a well-rounded person and as Minister for Education, he has talked about his eight key areas.

Mr Osborne: Who are you talking about, Michael?

MR MOORE: A very sensitive Mr Osborne interjects when I talk about a well-rounded person. Both he and Mr Stefaniak, in one sense at least, are well-rounded. I am talking about ensuring that children who are growing up in Canberra have a well-rounded education and a well-rounded exposure to sport and recreation and the whole range of things they should be exposed to in order to ensure that they have a healthier lifestyle and are healthier people. Minister, you ought to be embarrassed by this lack of attention to recreation. I hope that you will stand up in a few minutes and tell us that you will come back to us with a statement on recreation to correct this embarrassing situation.

MS McRAE (4.11): My comments similarly will be quite brief. I also was profoundly disappointed with this paper, particularly in the areas that Mr Moore covered, the realms of recreation. The vast majority of the people of the ACT are far more involved with recreation, as such, than with competitive sport or regular sporting activity, as most of the statistical surveys show. The paper was a disappointment at the time, and nothing that has happened since has done much to improve my impression of what is going on in sport. Despite the limited praise that the sporting budget did get, I think the fine print is what sends a cold chill down everyone's spine, and that is the notion that the contracting out of our fields and facilities should be proceeded with. We have been told that efficiencies will be sought, and that perhaps contracting out will occur. I find that an appalling prospect because ultimately it means that our children, our families, our friends and our neighbours will have to pay for the very things that they should use freely daily and regularly if we are talking about improving recreation and fitness.

I think Mr Osborne's points about the maintenance are very well made, and any sort of bleating about the previous Government does not wash. You have had nine months, and these issues are not new. The emphasis that you, Minister, want to put on sport comes with a responsibility, and the responsibility is that the facilities that are here are properly maintained, are openly and freely available to the people of Canberra, and are progressively improved to the level that they need. I have had many instances cited to me, and the most telling one related to Campbell. The ovals there that are regularly used by the community and that the community is encouraged to book and use have no toilets, and the school is getting rather tired of their bushes being used in a very unpleasant way.

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Those sorts of things, unless we see them addressed in a systematic and open way, put a lie to this whole notion of improving recreation. Mr Moore has already invited the Minister to research the area of recreation and the need for recreational facilities and improvements in attitude toward that area, and I think that is an invitation that you should take on, Minister.

The other area that I get very nervous about being pushed so often is this intrinsic link that is made with health and sport. Good health does not necessarily follow from just being involved in sport. What I would like to see you take a lead in, Minister, is the greater range of issues that are involved in health; for instance, the proper immunisation of children, the proper care of children, the proper understanding of how children develop and at what point they are able to do what things, the proper understanding of nutrition and its place in a person's life and how that affects health, and the proper understanding of self-esteem. As I have mentioned before, it is not always sport that contributes to self-esteem at every level of a person's life.

If you are going to take such a lead in this debate, Mr Stefaniak, and I have no problem with that, I would feel much better about it if you were able to promote more seminars, more work, more information and more push to those broader issues of health and wellbeing which come from people feeling good, from people's self-esteem being high, from people's worth being recognised, from people's diet being in order, and then come to the bigger social justice issues which your Government is very weak in attacking, and that is, in essence, supporting low income earners. It is a vital issue. To have our children involved in sport means that they have to have the proper shoes, the proper clothing and the proper equipment. I heard, for instance, evidence from one person - I think it was at the round table, and it is a quite common observation - that a lot of our students do not even involve themselves in the first place because they know that mummy and daddy cannot buy the proper shoes and the proper equipment. So we are building in those who can and those who cannot. In your portfolio you have collectively not addressed the needs of low income earners; nor has any other Minister in his or her portfolio. You have not protected them in any of your rhetoric.

This is why I am so excited about the whole question of why people do not participate. I think that, at the bottom, we will uncover that a lot of children will not participate, and do not participate, because they do not want to reveal the financial circumstances of their home, and do not want to go home and say, "Mummy, I want to play tennis. Buy me a new tennis racket". It might sound trivial when I put it across like that; but your Government, I think, has a responsibility to protect those children from embarrassment and to allow full involvement in a range of issues to do with recreation, sport and health. Intrinsic to that is people's self-esteem and self-worth, which comes from not being embarrassed by having to admit the difficulties that they might face while they are at school and similarly across the community by not having to go to a pool administrator or to a field administrator and say, "Listen, cobber, I have only two bob in my pocket and I have no income. Why will you not let my kids come into the pool?".

I think it is up to you, Minister, to find policies and ways to ensure that, without embarrassing people and without putting them in circumstances where they have to admit their circumstances, you then facilitate far greater involvement. When I hear of those sorts of things - the better research about health, the better research about self-worth,

the better research about involvement in recreational activity, the better research about the link to health and sport - I will feel much more comfortable about saying, "Good on you, Mr Stefaniak". At the moment I think we have a long way to go. Your first statement was a major disappointment, and very little I have heard since has made me very secure that you are taking all of that into account while you are leading the charge on increasing the level of involvement in sport in the ACT.

MR KAINE (4.18): I wish to comment only briefly on this paper. Unlike other members, I was not disappointed by the paper. I thought that what the Minister told us is happening is very good. There are things that I would like to have seen in the statement. In fact, my biggest disappointment was that the copy that I got stopped at page 9. I think that page 10 was missing, and that was the one that talked about getting an Australian rules national competition football team here. We have a rugby league team, we have a rugby union team, we have a soccer team, we have a baseball team, and we have a basketball team. When are we going to have an Australian rules team? I think that must have been on page 10. That was, I think, the page where you committed yourself to \$3m - a sum like what was put into rugby league - to get a national football team here.

Mr Hird: Rugby union too. Do not forget rugby union.

MR KAINE: He mentions rugby union. That is okay. That gets the go from the Minister, but I do not know why. I think all that good stuff must have been on page 10.

In connection with Australian rules football, I know that the other day the Minister had a letter from a number of children from Wanniasa High expressing their disappointment about the loss of the ground on which they traditionally played Australian rules football. They say that they have lost that ground to soccer. It was a plea to the Minister to reverse that decision. I add my strong recommendation to the Minister that he take that letter seriously and look at it. I cannot think of any reason why soccer should replace the national game of football on practically the only ground on which Australian rules is played in the Tuggeranong Valley. I know that there is a promise of another ground at Conder, although it is interesting that the same letter that asks you to intercede, Minister, on the question of the Wanniasa ground points out that the new oval down at Conder is not oval; it is rectangular. That, it is submitted, does not augur well for Australian football being played on a rectangular ground at Conder. So there are a few issues associated with Australian football that I think were left out. As I say, Minister, I presume that they were on page 10 and you will rectify that when you bring out your second paper in the area of recreation; you will remedy both of those faults.

I must say that I was rather astounded to sit here and listen to Ms McRae telling you what was wrong and how you were failing in your duty, when for five years she was in a government that did none of the things that she is exhorting you to do. She is beating you over the head because you have not done them, yet you have had the portfolio for only five months.

Mr Berry: We built a swimming pool in Tuggeranong. You will not do the same for Belconnen.

Ms McRae: Yes, we did it for you, Trevor. You got in on our pool.

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MR KAINE: What do you mean by “our pool”? If you are talking about the pool at Tuggeranong - - -

Mr Berry: Who built it?

Ms McRae: Who built it?

MR KAINE: It was built by the Alliance Government. The Tuggeranong pool was built by the Alliance Government.

Ms McRae: Nonsense! We delivered. We delivered for you.

MR KAINE: Mr Whalan was working assiduously on the Tuggeranong pool. He tried to get private enterprise to build it and he failed. You might have got to open the Tuggeranong pool, but you - - -

Ms McRae: We built it for you.

Mr Berry: Who got the funds?

Ms McRae: And who got the votes? You did. You did, on our pool.

MR KAINE: I was a bit disappointed, Minister, in view of the sterling job you are doing, to find you being attacked over things that the attacker should have done over a period of five years before you even stepped into the job. You are doing a sterling job. I know that you will remedy the inconsistencies in the paper, in part two, which I expect to read very soon.

MR DE DOMENICO (Minister for Urban Services) (4.22): Mr Speaker, I am not a front row forward, because of lack of ability and height, but perhaps I might contribute - - -

Ms McRae: Sheer cunning and skill are all you need, Mr De Domenico.

MR DE DOMENICO: Sheer cunning and skill; thank you, Ms McRae. Mr Osborne mentioned that there was a necessity for some sporting facilities in the Tuggeranong Valley. There is a necessity for sporting facilities all over Canberra. The only problem I have with that is that the more you give people the more they want, and that is fair enough. It is up to this Minister, quite obviously, to have a look at what amount of money he has available and then make decisions accordingly. I would like to applaud the work done by this Minister in his very short time as Minister. For example, he got together with the Tuggeranong Valley Rugby Union and Amateur Sports Club in order to get the private sector and some sporting organisations involved in the provision of facilities as well. It is very easy for everybody to say, “Government, please give us what we want”. The lateral way of doing things is not just to rely solely on government for the provision of some facilities for the community. I think the Minister is to be applauded for that.

I also take on board Mr Osborne's comment that ACTAFL ought to put up or shut up. I do not think Mr Osborne should talk much about his rugby league connections because of what is happening in terms of Super League, Mr Speaker. I am suggesting that perhaps ACTAFL might have done a lot more work behind the scenes than Mr Osborne gives them credit for. It would be an aberration if only one sport were played at Bruce Stadium. It is a facility that belongs to the entire community, and it would be a pity if we could play only one sport there. I must also agree with Mr Osborne when he said that it is looking good in certain areas of the Tuggeranong Valley, in the electorate that I represent, because of the indoor sports facility which is going ahead. That was a commitment made by the Liberal Party before the election. Another commitment was the refurbishment of the Erindale Centre. I can say that because I was the person many years ago who was pushing the former Government to do that. I am glad to see that this Government has decided to take that on board.

Most of the time Mr Moore makes a lot of sense. He did have a go at the Minister for not talking too much about recreation; but if Mr Moore ever played any sport with the Minister he would realise that it is not just a sport, it is a recreation, either because of the laugh when he tackles you or when he misses you, or the other laugh when I try to run away. I am sure that the Minister will reply accordingly; but yes, perhaps too much emphasis is placed on sport and not enough on some of the other things that you can call recreation.

I was most interested to hear what Ms McRae had to say. You expect such a response from the Opposition - knock, knock, knock; negative, negative, negative. But then she went further and talked about social justice and how some people could not afford the cost of certain equipment. I agree with Ms McRae, but once again she suggested that the responsibility lies with this Government. That is nonsense. If Ms McRae is really concerned about the cost of sporting equipment she might have a chat to her Federal colleagues and perhaps they might remove the sales tax that is on sporting equipment. If I am not too incorrect, it was increased by 20 per cent in the last Federal budget. She might talk to her Federal Government about that. It is not just the responsibility of this Minister that things cost a lot of money. She also talked about health and blamed this Minister for everything. That is a typically simplistic view that the people in opposition take from time to time.

She also blamed this Minister because there were no toilets on the Campbell playing fields, for heaven's sake. I would be delighted to have toilets at the Banks playing field and, as Mr Kaine said, we would be delighted to have toilets at the Wanniasa Oval, which was previously used by Aussie rules but is going to be used by soccer, and also at the Conder ovals. I think the Conder ovals have just got their toilets, actually. Mr Kaine, I agree with you; it is not an oval. I run around the Conder Oval and it is slightly square, I must admit. Yes, it would be lovely if every oval in the ACT had all the facilities, a stand for 5,000 people and all sorts of things; but this Minister in this Government, like any other government, by the way, has a limited amount of resources, and it is up to government to spend those resources in the best way possible.

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Mr Kaine: We are rapidly fixing the shortcomings of the previous Government.

MR DE DOMENICO: That is right. Before people start appropriating blame, Mr Kaine made the point, and I stress the point, that the previous Government was in power for some five years. You cannot stand here in some heraldic way and suggest that it is this Government's fault because things that should have been done perhaps five years ago have not been done within the nine months of this Government taking office.

Mr Speaker, in closing, before the election the Liberal Party made various promises in relation to sport. One was that we would increase the Health Promotion Fund to 5 per cent, like every other State and Territory. We have done that. There will be more money for sport out of that. We said that we would go ahead and construct the indoor sports facility in Tuggeranong. We have done that. We made a promise about refurbishing the Erindale sports complex. We have done that within nine months. Mr Speaker, you will find that what this Government promises it delivers.

Mr Berry: The highest youth unemployment in 2½ years. A great job!

MR DE DOMENICO: I will take that comment aboard at another time and another place, Mr Berry, and show how simplistic, as usual, your interjections are. This Government in the nine months it has been in office has promised various things. What we promise we deliver. It might take longer than nine months, but I can assure you that it will not take the five years that it took the previous Government to do nothing.

MR STEFANIAK (Minister for Education and Training and Minister for Sport and Recreation) (4.28), in reply: Mr Speaker, I will take some of the last points first.

Mr Berry: Are you going to supply the tenth page?

MR STEFANIAK: I congratulate Mr Kaine, to start with, because you people might not realise it, but he has spoken twice in this debate. Well done, Trevor; you got in under there. No-one else could go, mate, and that I was very pleased to see. Mr Kaine hails from Tasmania via Victoria. Of course, on both occasions he quite rightly pointed out that there was one startling omission from the paper as he got it. You are right, Trevor. Page 10 must have been missing because there was not a reference to Australian rules. Of course, in terms of that end of the scale, this Government is certainly keen to attract an AFL team to Canberra and fully supports that. I am well aware of the questions down south in relation to Conder. It is a very big field. It may not be oval, but it is for use by Australian rules. Part of it will become oval so that it can be used by Australian rules. Mr Kaine also mentioned the Wanniasa playing fields. Soccer, I think, got two more fields there because of extensive use, but obviously Australian rules has to be catered for as well. Australian rules has a very good supporter and proponent in Mr Kaine. It was quite appropriate that he mentioned that and got in on two occasions rather than one.

Mr De Domenico referred to a few things which Ms McRae mentioned, such as sporting equipment and its cost. I would like to touch on the social justice aspects she mentioned. I suppose it could be said that this is always a difficult question. I know that schools do what they can in relation to this. They try to help out. They will be able to help out a bit more under us because the emphasis on physical education and sport in schools will necessitate some schools getting some more sporting equipment. That will certainly help, at the school level, some of these disadvantaged kids.

Mr De Domenico was quite right when he said that it is a problem which is caused largely by such things as unemployment and the lack of opportunities. And where do these things come from? We have had a Federal Labor government in power now for nearly 13 years. Surely this needs to be rooted home where it should be, and that is fairly and squarely at the door of the Federal Labor Government. As Mr De Domenico also said, "What did your Government do, Ms McRae, in relation to this?". We are trying as best we can as a government to assist in terms of such things as unemployment by creating more opportunities for people in the ACT, but obviously Federal issues play a very big role. If the Federal Government is keen to get more people involved in recreation and sport it might reduce or get rid of the Federal tax on sporting equipment. That certainly would encourage more people to take up active lifestyles and particular sports, and that would obviously assist poorer members of our community. It is very much a Federal issue.

Ms McRae also said that health is very important. I think I can recall an earlier debate in which Ms McRae talked about her nutrition habits when she was 16 and 17. Perhaps mine are not exactly crash hot either. Health is important because it is not just sport and PE. I accept that, Ms McRae. In fact, this week, you will notice, is Health and PE Week. Health has been put in there for a very obvious reason. Such things as nutrition are important. We realise that. The physical education side is equally important. The physical education side is not necessarily just sport; it is more than just sport. The physical education side in our schools is improving, and I am not going into that in any more detail because that has been talked about on a number of occasions.

Mr Moore referred to packing down the scrum and suggested that maybe the scrum has gone a bit backwards. I do not think we even had a scrum to pack down until such time as this Government took over the reins here. The issue has been brought fairly and squarely into the public arena, with some very useful comments from all sides. That in itself is a very positive step. I hope that the end process will be more or less a bipartisan approach which will greatly assist that issue of PE and improving sport in our schools.

Ms McRae also mentioned, along with Mr Moore, the question of recreation. Before I come to that, Ms McRae also mentioned contracting out, as if they were terrible words. She is from the left faction and they certainly do not like words such as contracting out. What we are looking at really is making our operation more efficient, and obviously that is something that the Government has to do.

Ms McRae: Charging more. I know.

MR STEFANIAK: People pay at present.

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Ms McRae: What else does it mean?

MR STEFANIAK: People pay for fields at present. People pay to go into other government facilities.

Ms McRae: And they are going to pay more.

MR STEFANIAK: They are not necessarily going to pay more; it is the way in which you do it.

Ms McRae: Why bother changing it? Go on with you.

MR STEFANIAK: It is the way in which you do it to make it more efficient. There are any number of places throughout Australia run by various groups where they do not charge more than they do here, but they certainly do not lose the amount of money we do. We are about making things better. That is something that the Government intends to do during its term here. It is a question of providing the service, and a good service, as efficiently and as cost-effectively as possible. Obviously, the Government has to spend money. As I mentioned yesterday, I think \$1.79m is spent by the Government on pools. If we can cut back there, if that is dropped by, say, \$500,000, that is a significant improvement. Obviously, we are still going to have to spend some money, but we do not have to continue to do things the way they always have been done when clearly that is not efficient.

I listened with interest to the comments by Mr Moore and Ms McRae about recreation. As I consider myself to be a well-rounded person, though not just physically, as Mr Moore might suggest, it is important that recreation is properly dealt with here. Maybe there could have been more on recreation in that paper. It is a very good point that Mr Moore raises. I am acutely aware of it. In fact, the Sport and Recreation Council is looking at the question of recreation. I have had meetings with several people in the recreation industry. I am very interested in what they say. I am very pleased to see their interest and the fact that they are prepared to push government, to advise government and to make very concrete suggestions. The way you get people into sports is to first get them into recreation.

We are somewhat blessed in Canberra in terms of some great natural facilities, and some man-made facilities as well. In relation to the natural facilities, we have the mountains and we have the rivers. In terms of artificial facilities that are constructed, we have probably the best bike path system in Australia, and this Government is extending that, I am pleased to see, in the budget. It is not in the sports budget but it is, I think, in my colleague Mr Humphries's budget. Bike paths are going into Gungahlin. The bike paths are something that we can all be very proud of. We have some other excellent recreational facilities throughout Canberra as well.

Mr Kaine: The recreational fishing is fantastic.

MR STEFANIAK: Mr Kaine mentions fishing. Fishing is something that is done by about a third of Canberra's people - young, old, disabled, men, women. It is a most popular recreation and something that this Government is very keen to push. I understand that my colleague Mr Humphries is taking action now in relation to issuing electric powerboat licences, which we promised we would do in our fishing policy. A fishing policy is a first, might I add, for any party, I think, in Australia going for election. I am delighted to see the restocking of lakes and streams around Canberra on an ongoing basis so that this very popular form of recreation can be assisted. We are certainly making a number of improvements in relation to that type of recreation. Recreation is important and I will be keen to pursue it. I regard that as a fair comment in terms of something that could have been dealt with further in this paper. A lot of work has been done, and a lot more further work will be done.

Mr Moore also talked of the question of balance in relation to sport and music. Yes, we do need balance. I indicated to him earlier today, in terms of schools, that it is a question of redressing a lack of balance in the past. I think our commitments are very much on track. As some speakers have mentioned, we are encouraging all Canberrans to maximise their leisure time. The sport and recreation development grants program continues. Everyone is aware now of what is in the budget. I suppose that we cannot do everything at once, but we certainly have a plan there and a funding increase where appropriate, even in very difficult times. I personally, as well as the bureau, consult regularly with the sporting community, from ACTSport to individual sports.

In relation to such things as facilities, a 10-year strategic plan for sport and recreation facilities is about to be released for public comment. I will be interested to see what comments come back in relation to that, so that we can progress that further. I think I said enough earlier in relation to the economic benefit of sport, Mr Speaker, and the Government's initiatives in special events and sports tourism. The actions of this Government over the few months it has been in power in this area have been very positive and of great benefit to the Canberra community.

Question resolved in the affirmative.

ADJOURNMENT

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

That the Assembly do now adjourn.

Timber Industry

MS HORODNY (4.39): I would like to speak briefly about the timber industry and the importance of bringing in industry restructuring, transitions, solutions and win-win situations. It is not a new thing in this country for us to see major restructuring in some of our larger industries. The textile industry and manufacturing industry, particularly the car industry, have gone through some of these major upheavals in the past 10 years, to the benefit of all Australians, and certainly to the benefit of the products that they produce. There is absolutely no reason why the timber industry, right now, should not be going through a similar sort of restructuring, particularly when the work has been done on precisely how this restructuring would occur. The alternatives exist, and that is the absolute beauty of this whole transition strategy.

The green movement and the economists and ecologists out there are not suggesting that a whole industry come to a standstill, that workers be put out of work and that timber supplies be stopped. The beauty of this whole transition is that there is an alternative source available right now for the industry and for the community to be relying on. Judy Clark's plantations report did precisely this sort of work. She went State by State around the country looking at what resources we have; how many hectares we have of the various types of tree plantations; at what stage of coming on line they were; and what sorts of industries were being planned in different areas based on those plantations.

In Bombala, for instance, where there is always a great outcry about timber workers being put out of work, CSR is planning a big softwood mill in that region. The workers that would be put out of work by native forest logging being stopped would immediately be employed to harvest that softwood plantation and to work in the mill that CSR is even now planning to put in there in the next 12 to 18 months. The \$53m that the Federal Government has set aside for regional forest agreements is exactly the sort of money that needs to go into restructuring this industry, into retraining some of the workers and into relocating others. Bombala is a wonderful example. The native forest supply is on one side of the road and all you have to do is cross the road and the plantation resource is right there. The beauty of this whole debate is that it is a win-win situation for our forests, for our workers and for economics in this country.

Question resolved in the affirmative.

Assembly adjourned at 4.42 pm