



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

4 SEPTEMBER 1996

Wednesday, 4 September 1996

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The Assembly met at 10.30 am.

(Quorum formed)

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

PETITIONS

The Clerk: The following petitions have been lodged for presentation:

By **Mr Berry**, from 957 residents, requesting that the Assembly require the Minister for Urban Services to ensure that the services to Kippax, in particular the 409 bus route via Wirraway Crescent, are retained.

By **Mr Hird**, from 30 residents, requesting that the lease and development application for the community sporting facilities in McKellar be approved.

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

ACTION Bus Services - Kippax

The petition read as follows:

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

The petition of certain residents of the ACT draws to the attention of the Assembly the proposed cuts and changes to Bus Service 409 to Kippax. The 409 Bus Service is the sole means by which many in the Scullin area, and in particular the aged and physically handicapped residents of Collingrove Units, gain access to the health, banking, shopping, library and postal services at Kippax. The Deputy Chief Minister and Minister for Urban Services, Mr De Domenico, in Bus Book 96, gave his commitment to the "most efficient and effective public transport service in the country".

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Your petitioners therefore request the Assembly to require the Deputy Chief Minister and Minister for Urban Services, De De Domenico, to abide by his commitment by ensuring that the services to Kippax, and in particular the 409 Bus Route via Wirraway Crescent, are retained.

National Soccer Centre

The petition read as follows:

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

The petition of certain residents of the Australian Capital Territory draws to the attention of the Parliament that: the undersigned residents living in the Belconnen area can identify huge benefits to our community from the proposed project to introduce much needed community, sporting and other amenities by the Belconnen Soccer Club. This project is to be located in McKellar at Section 71, bounded by William Slim Drive and Owen Dixon Drive.

Your petitioners therefore request urgent attention by the Assembly to approve this lease and development application.

Petitions received.

ELECTORAL (AMENDMENT) BILL (NO. 2) 1996

MR MOORE (10.32): Mr Speaker, I present the Electoral (Amendment) Bill (No. 2) 1996.

Title read by Clerk.

MR MOORE: I move:

That this Bill be agreed to in principle.

Mr Speaker, this piece of legislation has two major impacts. First, it will change the first election after February 1998 to an October election, providing for a term of approximately 3½ years for members of the Fourth Assembly. The first general election under the Act, if it is amended, will be held on 20 October in the year 2001. That will ensure that we have a much more logical time for elections. At the moment our elections are held in February. Consistent with the report of the Electoral Commissioner that was tabled by Mr Humphries in this place, it is appropriate that we change to October elections.

For members, February is actually a quite convenient time, because in the Christmas period leading up to a February election most of Canberra is on holidays, we have no demands in our committees work or in other areas and we have the opportunity to prepare our work and prepare our campaign. Australia Day towards the end of January seems to mark the day when people get back into Canberra and things start operating as usual, and we wind up with a very intensive three-week campaign. Many people would agree that it is quite convenient for members to run a three-week campaign, because it means that the campaign is contained. However, that period is inconvenient for other people. The Electoral Commissioner reported that there is a high level of absence from Canberra at that time. This was reflected in a difference between the number of people who turned out for the Federal election and the number of people who voted in the ACT election. Many people who failed to vote in the ACT election gave as their reason the fact that they were out of Canberra. There are some inconveniences like that for the people of Canberra.

The second advantage of an October election, as far as I am concerned, is that it will fit in much more neatly with the budget period. I am not referring to the present system of an end-of-September budget that is passed in November. It is certainly this Government's intention to return to what happened under Rosemary Follett as Chief Minister, when we had a mid-year budget. There were a couple of problems associated with that in the last couple of years, but that should be back on track. When it is back on track it will be appropriate for us to change to an October election so that a government can present their budget and have it debated and passed prior to an election period. We would then go into the election period and the new government could begin the appropriate preparation of their own budget. That seems to me to be a sensible thing. That is why I believe it appropriate for us to have October elections.

The second issue is the issue of four-year terms. It has been my observation that governments in this house tend to spend the first 15 to 18 months preparing the work on what they had promised at the election - and sometimes they actually deliver on some of those promises - and setting the direction of their government. The difficulty that most of us would recognise even now is that governments, as well as non-government members responding to budget matters and community concerns, think in terms of the next election. Rather than being in the best interests of the community, decisions are often made in the best interests of members and their being re-elected at the next election. For me, there is a very solid case for a four-year term to ensure that decisions are made in the best interests of the community. That has to be balanced against how members are held accountable. The time that they are held accountable is, of course, election time. It seems to me that a four-year term will give the appropriate balance between members being held accountable regularly enough and a government being allowed to get on with its agenda and members of the opposition and crossbenches being able to pursue the agenda that they believe is in the best interests of the people of Canberra.

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There are some side benefits in four-year terms, but I do not think they hold much water. The first one is that this will be a cheaper system. There will be significant savings to people. The extension of that argument, of course, is that the cheapest way would be to have elections every 10 years or every 15 years. We accept that democratic processes are quite expensive. That is something that we simply wear as part of an accountability process. It would also be far cheaper to have fewer members in the Assembly and no staff for members not in government. All of these things that would save money would also take away the accountability of members. Much as I appreciate that four-year terms would save on costs, I do not believe that that in itself is a good enough reason to support this measure.

Mr Speaker, it has been interesting to look at the arguments against four-year terms. In fact, I should say "argument". To the best of my knowledge, that argument has been effectively put by one particular organisation, the *Canberra Times*, in two spots - in an editorial on Tuesday, 27 August, and on the same day in a debate that I had on ABC radio with Crispin Hull, who according to the moderator of that debate was responsible for the editorial. The only other negative comment that I am aware of, apart from that made by the *Canberra Times*, was in a letter to the editor by somebody who, no matter what I do, almost every time writes a letter to the editor to say how terrible what I have done is. There are always those sorts of people. It was a fairly brief letter. I can see other members thinking that they have to approach this man and get him onside for the party.

Mr Humphries: You have only one. You are lucky.

MR MOORE: Mr Humphries interjects, "There is only one". Of course, we all know better than that. This particular person wrote on this issue, but of course there is a range of such people and we all know them. The editorial talks about the fact that we entrenched the Hare-Clark system, but it also states:

It means a referendum or a two-thirds majority in the Assembly are required to change it. The entrenched elements are: Compulsory voting, a minimum five members per electorate, Robson rotation, no party voting and optional preferential voting.

It continues:

Unfortunately, no-one thought that fixed three-year terms needed entrenching against politicians putting themselves before the people.

It goes on to say that in other places where this has been put to referendum it has failed. The other thing that comes through in that editorial and in the debate is that this would be a self-serving method for politicians. I must say that this would have been a far fairer editorial had it also recognised that there is a self-serving element as far as the *Canberra Times* is concerned. The more often we have elections, the more money the *Canberra Times* makes. The reason they make more money is that their advertising increases substantially. It is not only about money. The more often there are elections, the more copy the *Canberra Times* has. It is quite clear that the *Canberra Times* does particularly well out of elections in a series of ways.

It is disappointing that the self-serving argument, if it had to be used, was applied in this way. It seems to me that a self-serving Assembly would be one that put up and supported an electoral Bill to change four-year terms, if we had them, or an Assembly that said, "The Electoral Commissioner said that the most sensible time to have elections is October. Therefore, instead of having our next election in February 1998, we should change our Electoral Act and have our next election in October 1998". We actually have the power to do that, but that would be self-serving. That is why I believe that nobody - and this has been confirmed in my discussions with members of this Assembly - would support that.

To propose that the change be at the election following the next election is not to be self-serving. That time would be very inconvenient for members who did not get elected in 1998. They would be in the cold for four years instead of three years. Mr Speaker, this could apply to somebody like you who was not elected to the First ACT Assembly but was elected in the two elections after that. Had four-year terms been in place, then the period in which your activities were not so strongly involved in politics would have been four years. I think those arguments hold very little water. The only logical argument against this sort of legislation is to ask, "How accountable are members?". That is what this legislation is all about. It is about a balance between holding the various members accountable and, as I said in presenting the advantages of this legislation, allowing a government to get on and do the business that is in the best interests of the community.

The other issue that was raised was the issue of a referendum. I touched on it before. When we have entrenched legislation - and the editorial referred to the entrenched elements - this Assembly also has the power, rightly so, to modify that, provided it is done with a two-thirds majority. In other words, in entrenching our legislation, we understood and the people of Canberra understood that there were going to be times when minor modifications needed to be made and that they really ought not to be the subject of a referendum. As I see it, this is a minor modification.

Four-year terms were proposed in a series of ways. Our self-government legislation was originally drawn up with four-year terms. As I see it, a series of mistakes were made in that legislation. The first one was that we went to the first couple of elections under the d'Hondt system. I have heard the argument that if we had not gone under the d'Hondt system we would not have gone under any electoral system and there would not have been self-government, so perhaps it served a purpose. Nevertheless, it did not deliver what was in the best interests of the people of Canberra, and that seems to be broadly recognised. The original proposal was for four-year terms, but in the negotiations it was said, "As it is a new parliament, let us start off with a three-year term". I believe that was at the instigation of the Democrats, although I may be corrected on that.

When we did our own Electoral Bill here, it was originally drawn up with four-year terms. In fact, in a round table discussion on that Bill we debated whether we should introduce four-year terms without the issue having been canvassed in an election period. In that debate and again prior to the last election I said that I would pursue four-year terms. I believe Mr Humphries said that he was in favour of four-year terms at that stage.

Certainly, later he made it clear that at that stage it was their preference to have four-year terms but that this should be publicly known through an election period. That happened without causing much anxiety in the community, apart from one or two people. Now that the legislation is actually on the table, it may well be that a huge amount of anxiety is generated in the community. If that is the case, then it is probably an appropriate issue to put to referendum. If anxiety is not created and there is no clear objection to this change to four-year terms, then I think we should avoid the cost of a referendum, understand that it is not the desire of the people to take it to a referendum and proceed with the legislation.

Even in the referendum legislation that Mr Humphries has tabled in this house there is a threshold point at which the community asks for or requires a referendum to be carried out. Whilst on an issue like this we would not necessarily look for that threshold, we would want to see a fair level of community discontent with what we were doing before we actually moved to put this issue to a referendum. As I say, that may well occur now that the legislation has been tabled and people can see what we are talking about. I believe that this is an appropriate move.

I refer to a couple of other small points. There is always the possibility that an October election will clash with a Federal election. At the moment, if a February election clashes with a Federal election, we change our election to April. Similarly, if there were a clash in October we would change our election to the first week of December. That is consistent with the recommendations of the Electoral Commissioner. Changing to four-year terms would also require a couple of amendments to the Act in respect of disclosure periods and records. They are in the Bill. I hope that members can see their way clear to support this legislation, which I believe is in the best interests of the community as a whole.

Debate (on motion by **Mr Humphries**) adjourned.

ACTION BUS SERVICES - KIPPAX

MR BERRY (10.50): Mr Speaker, I move:

That this Assembly:

- (1) notes the review of Belconnen Bus Services by ACTION which proposes to cut services to Kippax from the suburbs of Charnwood, Flynn, Fraser, Melba, Scullin, Hawker, Weetangera and Cook and furthermore notes proposed changes to the 409 service which would severely limit access to the aged residents of Collingrove Court in Scullin;
- (2) therefore calls on the Government to review this proposal and ensure that services to Kippax are not cut from the abovementioned suburbs and access to public transport for the aged such as the residents of Collingrove Court is not reduced.

Yesterday the Government set out to pre-empt debate on this issue, waving around the motion which was to appear on the notice paper and trying to create the impression that this was some sort of a scaremongering tactic that had been developed at the drop of a hat because somebody on the Opposition benches thought it was a good idea. Let us make sure we get the record straight. Mr De Domenico, who made those statements, sits beside Mrs Carnell, who herself had received a letter on 1 July from Kippax Fair. The Government was fully aware that there was concern out in the community about cutting bus services from eight suburbs to Kippax Fair, in particular cutting the 409 route, which would affect 20 senior citizens who live at Collingrove Court in Scullin. As if it was not enough for the Government to know that it had already received advice from the community, we saw in the *Chronicle*, the Belconnen edition, for the week ending 15 July, "Bus route cuts loom". Of course, it was a report on the letter which was sent to Mrs Carnell on 1 July.

Later on I was contacted by a group of aged citizens from Collingrove Court in Scullin who were deeply concerned about their bus service and the way they had been treated. They had been treated with contempt. They had been told, "We are going to change the bus routes, but we will stick to ACTION standards. That is, you will not have to walk any further than 500 metres". That is half a kilometre for residents approaching their nineties, for heaven's sake. The fact of the matter is that there is a bus stop outside that centre. The attitude that was displayed to these senior citizens was outrageous. The Government - - -

Mr De Domenico: Is there anything we can do to make this man tell the truth, Mr Speaker?

MR SPEAKER: Order!

MR BERRY: I think he should withdraw that.

MR SPEAKER: Yes, I think so.

Mr De Domenico: What did I say that was wrong? I said, "Is there anything we can do to make this man tell the truth?"

MR BERRY: Yes, that is fair enough. That is exactly what you said.

MR SPEAKER: The implication is that Mr Berry is not telling the truth.

MR BERRY: Withdraw it.

Mr De Domenico: I will withdraw, Mr Speaker, and say "the whole truth".

MR SPEAKER: I suggest that there will be ample opportunity for all members who wish to participate in the debate to do so.

MR BERRY: Mr Speaker, he still has not withdrawn it. He is still making the same implication. He said "the whole truth", but that is an implication that I am - - -

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Mr De Domenico: I still believe that that should be the case; but I withdraw, in deference to you, Mr Speaker.

MR SPEAKER: Thank you, Mr De Domenico. Let us get on with the motion, Mr Berry.

MR BERRY: You are a joke!

MR SPEAKER: Order! Do not be provocative.

MR BERRY: You are a joke! Mr Speaker, here we are demonstrating that the Government's own ACTION was setting up to cut bus services to Kippax from eight suburbs and in particular was taking away the service from outside the door of a group of aged persons units in Scullin.

Mr De Domenico: That is scaremongering nonsense, and you ought to be ashamed of yourself.

Ms McRae: Settle down, Mr De Domenico.

Mr De Domenico: I am settled, Ms McRae.

Ms McRae: Settle down. You are just biased.

Mr De Domenico: They are your constituents.

MR SPEAKER: Order! Please cease interjections from either side of the chamber.

Mr De Domenico: And they will vote accordingly next time around, believe you me, Ms McRae.

MR SPEAKER: Mr De Domenico, I am talking to you as well.

MR BERRY: What has been proven is that a bit of community action can swing this Government away. That group of aged people mounted a campaign and fought it very hard, and they were able to swing this Government away from its decision to cut out the route to Kippax from Scullin. There is no question about that. I think those old people are to be congratulated.

I was happy a week or so ago to launch a petition because of anxiety amongst small business people at Kippax Fair. Small business people, if you listened to the rhetoric of the Liberals opposite, would be represented by the Liberals. These people were quite angry about the fact that eight suburbs were going to have their feeder routes from that shopping centre cut by the Liberal Government that claims to represent small business. All of those business people where I dropped the petitions off were very happy to collect signatures, because they want to protect their businesses. They are also very concerned about the people who use their businesses, their customers. The small business people and the customers are deeply concerned about what this Government has set out to do.

In less than a week or in about a week there have been 950-odd signatures put on a petition. This Government took notice of 18 or 20 senior citizens. Will they take notice of the 900-odd people who say they want bus services retained for those eight suburbs?

Mr De Domenico: We will take notice of the 90,000 who say they do not.

MR BERRY: Mr De Domenico says, "No, I am not taking any notice of those 900". What we have demonstrated here is that the community has reacted. Some senior citizens have mounted a successful campaign. Thankfully, at least on the surface, the Government says that it will retain a service outside their units. What service we are yet to discover. We are not sure that it will be the same service that they had before. We are not sure that they will not reduce it. It is plain that there was an intention to cut services in Belconnen. There still is, for those eight suburbs, Mr De Domenico, is there not? Yes, there is.

Mr De Domenico: I said nothing, Mr Berry. I will give you my tirade when I get on my feet.

MR SPEAKER: Order! Mr De Domenico will have the chance to put his point of view shortly.

MR BERRY: Those eight suburbs are still at risk and those small business people who operate businesses at Kippax Fair are concerned about the feeder routes which bring customers to their shops. This Government cannot say that it represents small business when it behaves in this way. It cannot even pretend to claim that it represents small business when it behaves in this way. This motion is about calling on the Government to review this proposal, ensuring that services to Kippax from those eight suburbs are not cut and ensuring that access to public transport for the aged, such as the residents of Collingrove Court, is not reduced. The Government has to be unequivocal about this and say that it supports the motion. If it wavers, we will take that, and the community of Belconnen will take that, as a clear intention to cut services.

On this whole issue, the most notable thing has been the silence of Mr Hird and Mr Stefaniak. Once the 18 or 20 senior citizens had decided that they had had enough of this Government and they had made it public, Mr Hird and Mr Stefaniak started to get interested. Mr Stefaniak whipped out there and had a little afternoon tea with them, and the Government changed its mind. What a result for those people! They were going to have their bus service taken off them. The Government says that they will give it back. We are not sure of the form. That has to be watched. We will be watching that closely. There will be more petitioners at the Kippax shops making sure that they protect their customers and their businesses from this Government.

Clearly, a community uprising has resulted in an outcome. We still have some work to do on retaining the bus services from those suburbs. Is it not just like the Mr Squiggles episode? Mr Squiggles was on the radio one morning saying that the squiggles were wonderful, very efficient and quite safe. Six phone calls later Mrs Carnell was on the phone saying - - -

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MR SPEAKER: Relevance, Mr Berry.

MR BERRY: This is relevant, Mr Speaker. Mrs Carnell pulled the plug on Mr De Domenico. Of course, the same thing applies in the case of these aged residents. They were prepared to stand up, and they have secured something of a change in direction from the Government. People in Belconnen do not trust this Government, because they have seen their services attacked, Mr Stefaniak closing their schools, promises being broken, health centres being taken away, more people becoming unemployed, buses being under attack - - -

Mr Stefaniak: What about the total inaction by your lot for about four years?

MR SPEAKER: Order! The house will come to order. Mr Berry, you will be relevant to the matter before the Chair.

MR BERRY: This lot are distrusted, and rightly so. You cannot believe a word they say. Their actions and attacks on the community have to be resisted. We can resist them only in the way that those people from Collingrove Court did. They took matters into their own hands and demonstrated their opposition to these savage cuts by this uncaring Government. Mr De Domenico laughs.

Mr De Domenico: I am laughing at you because you are silly.

MR BERRY: He does not regard taking a bus service away from senior citizens - in many cases, their only connection with doctors, shops, and so on and so forth - - -

Mr De Domenico: Your statements are mendacious, Mr Berry. You are being mendacious.

MR BERRY: He should withdraw that.

Mr De Domenico: You are being mendacious, Mr Berry. Mr Speaker, you have ruled on previous occasions that “mendacious” is quite in order.

MR BERRY: No, he has not. “Mendacious” accuses one of telling a lie. Mr Speaker, he has been ordered to withdraw accusations of lying and - - -

MR SPEAKER: I have not ruled on “mendacious”, but I will check the information.

Mr De Domenico: You will find that Ms McRae ruled that “mendacious” is quite okay.

MR BERRY: No, she did not.

Mr De Domenico: Yes, she did.

MR SPEAKER: Everybody might like to settle down.

MR BERRY: In any event, it is not going to change the impression that people out in Belconnen have of this Minister. He is a lightweight. What a weak representative of his constituency! This is the fellow who makes the cuts in bus services. His Chief Minister and Treasurer says, "Here is your budget, Mr De Domenico. That is all you have, and you are going to have to manage within your budget". At the same time she is out there spending and overspending. There is \$20m extra in health, but everybody else has to keep to their budget. You people are as weak as water. You let the Chief Minister spend millions and millions of dollars, and you are not prepared to look after your own constituents and the services that you look after yourselves.

Mr De Domenico: I rise on a point of order, Mr Speaker.

MR SPEAKER: Order! Sit down, Mr Berry.

Mr De Domenico: Thank you, Mr Speaker, for telling Mr Berry that he should sit down when another member takes a point of order.

MR SPEAKER: State your point of order, Mr De Domenico.

Mr De Domenico: Thank you for at least giving me the courtesy that Mr Berry does not give anybody in this place. Mr Speaker, Mr Berry is supposed to be talking about bus services to Kippax. I suggest that whatever Mrs Carnell may or may not do in terms of the health portfolio has nothing at all to do with bus services in Belconnen.

MR SPEAKER: I uphold the point of order.

MR BERRY: Mr Speaker, I was making the point that Mr De Domenico is a poor representative of his constituents and a poor manager of the bus service. He is being forced to cut services while he lets Mrs Carnell throw money away willy-nilly and \$22.3m in health just evaporates.

There is more work to do for the people of Belconnen. They know that the Liberals opposite have abandoned them. They know that they have a couple of Liberal representatives who do not care. The only time that they care is when they are caught out. They were caught out by the old people of Collingrove Court. Mr Stefaniak was caught out. He had a quick little afternoon tea to try to smooth the concerns. Now there is some sign that the Government is turning around. Congratulations to those old people at Collingrove Court. They have done a particularly good job, but I think they know that there is more work to do to guarantee that some of the services to their particular residents will not be reduced by this Government. They are quite convinced that this Government does not care. They do not trust them, and for good reason. What government would go to the people saying that it was a representative of small business and then take decisions which would damage small business? What government would go to the people saying that it was concerned about people, particularly the aged, and then pull bus services from eight suburbs when the people most affected by the withdrawal of those services were the aged, people on low incomes, young people - all people who fall out of Mr Howard's version of "all of us"? What he really meant was some of us. That is what you people stand for - just some of us. (*Extension of time granted*)

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I will not be long, Mr Speaker. I just need to reinforce the point that governments are elected to represent all of the people, not abandon some. When you say that you are going to withdraw services from eight suburbs and it is going to affect the aged, people on low incomes and young people, it is about time that the community rose against you. That is what the men and women at Collingrove Court did. They did it in the full understanding that the Government did not care about them. They have made their point and the Government has listened to them. All we have to do is make sure that the Government delivers and ensure that the services to their residences are maintained. We also have to ensure that this Government does not do any more damage to business in this town. Let us not forget that those businesses have been affected by the flat economy that has been created in this Territory. They are concerned about governments trying to cut things like bus services, which affects their business. Mrs Carnell was responsible for 2,000 job losses before John Howard came along, so they ought to be concerned.

MR SPEAKER: Order! Mr Berry, you asked for an extension of time. You were granted it. Please remain relevant to the motion before the Chair.

MR BERRY: I am, Mr Speaker. It is entirely relevant to discuss the fortunes of small business affected by proposed changes in bus timetables. The fortunes of small business have been affected by this Government so far. We know, do we not? There are thousands more out of work who cannot - - -

Mr De Domenico: I raise a point of order, Mr Speaker. Could Mr Berry please sit down?

MR BERRY: I would be embarrassed about that too, if I were you.

MR SPEAKER: Please sit down, Mr Berry.

MR BERRY: I would be embarrassed about those unemployed.

MR SPEAKER: I do wish all of you people would realise that constant interjections and points of order just continue and lengthen the debates. Both sides might like to consider that.

MR BERRY: I am not interjecting; I am speaking.

MR SPEAKER: Mr De Domenico, what is the point of order?

Mr De Domenico: In consideration of that, Mr Speaker, I suggest that Mr Berry should not be talking about future employment prospects in the ACT. His motion relates to bus services in Belconnen. I suggest that he be called to order and speak on the topic at hand.

MR SPEAKER: I uphold the point of order.

MR BERRY: Mr Speaker, you are quite right to hold me to the motion. The motion is about bus services and the cuts to bus services which affect small business. Small businesses have been keen to collect signatures to oppose what this Government is doing. They have been affected by this Government, by other things I have related which seem to embarrass Mr De Domenico. Things like job losses and a flat economy should be things they are embarrassed about.

Mr De Domenico: You are a smart - - -

MR BERRY: I know you have been outsmarted on this one. You thought you - - -

Mr De Domenico: I have not spoken yet.

MR BERRY: You have been outsmarted by 18 or 20 senior citizens from Collingrove Court in Scullin. That is how you have been outsmarted. They have put the public pressure on you, and it is to their credit that you have started to turn around, but what we want to see is the full result and all of their services maintained. What we also want to make sure of is those eight suburbs where other senior citizens, young people and unemployed are threatened by this Government.

Mr Speaker, I urge members to support this motion. It calls on the Government to review this proposal and, most importantly, ensure that services to Kippax and those small businesses which you claim to represent are not cut from those suburbs and that there is access to public transport for the aged, such as the residents of Collingrove Court, who have done a good job, as I have pointed out a couple of times, and other aged residents throughout the Belconnen community. I urge members to support this motion.

MR SPEAKER: Mr De Domenico, on the question of the word “mendacious”, Speaker Prowse, Deputy Speaker Stefaniak and Speaker McRae all sought the withdrawal of the word. I will uphold their point of view and ruling. Would you mind withdrawing it, Mr De Domenico.

Mr De Domenico: Mr Speaker, I withdraw the word “mendacious”. I ask you, Mr Speaker, to come back to this Assembly and tell members exactly what words along those lines we are allowed to use. It would be very helpful. I am getting to the stage where I am sick and tired of it and we are running out of words in the dictionary to express certain viewpoints.

Mr Berry: I can give him a few. Would you like me to give you a few words about this Government?

MR SPEAKER: No; I would like you to sit down and be quiet.

MR DE DOMENICO (Minister for Urban Services) (11.11): There are two things I need to say at the outset about Mr Berry’s comments. The first thing is that Mr Berry infers that under pressure we changed our minds re Collingrove Court. There was never any intention to cut this service. Mr Berry should have had a proper look at the document that he said was leaked to him. There was a map on the back of the full document. I do not know whether he has the full document or just selected pages from it.

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That document says that instead of route 409 there is a revised route 407/408 which happens to stop at exactly the same place as the current route 409 stops at. In other words, those residents of Collingrove Court would have a bus, probably not the same number, stop exactly where the bus stops now - at the bus stop which is right in front of where they live. Mr Stefaniak and Mr Hird know that, because they confirmed that with me back in June and July, as Mr Berry should have done before he used those residents for his own political purposes. That is point No. 1.

I was delighted that Mr Berry continued to use the reference that he was the only person in this place who had any empathy with small business. He concentrated on only those small businesses in Kippax. He did not talk about the small businesses at the Charnwood shops or the small businesses at the Hawker shops - all in his electorate. I can guarantee Mr Berry that, if I went down to the Charnwood shops and said to them, "Would you prefer the bus to stop just at your shopping centre and not at Kippax?", they would all say, "Yes. Give us 49,000 copies of a petition. We think that is a great idea". If I went to the Hawker shops and said the same thing to the small businesses at the Hawker shops, they would also say, "Yes. Forget about Kippax and forget about Charnwood. We reckon the Hawker shops are the place where every bus in Belconnen should stop". That is half of the point.

Mr Berry made no mention whatsoever of how empathetic he was with the one small business that got national coverage on television about three weeks ago, the Parliament House bookshop. There was no mention of how concerned he was about what happened to that small business.

Mr Berry: It is owned by the Government. Small business?

MR DE DOMENICO: "It is owned by the Government", he says, so it is no longer a business! It is a small business which is a finalist in the tourism awards and which buses stop in front of.

Mr Berry: Mr Speaker, I draw your attention to Mr De Domenico's commentary on a small business as it relates to this bus issue. You may wish to express a view on that.

MR DE DOMENICO: Small businesses that buses stop in front of include the bookshop at Parliament House. It is not in Mr Berry's electorate; it is in the Molonglo electorate. Mr Berry did not talk about the ravaging of that small business by the CFMEU.

MR SPEAKER: Order! Relevance, Mr De Domenico.

MR DE DOMENICO: Mr Berry talks about flattening small businesses. We know what the CFMEU did to that small business. They literally flattened it with sledge hammers and missiles. On behalf of all the members of this Assembly, let me formally thank Mr Berry for providing details of his motion, albeit a day after he provided it to the Canberra *Chronicle* and perhaps to other media outlets. That is perhaps some indication of the esteem in which Mr Berry holds this Assembly. Let us look carefully at the wording of Mr Berry's motion and the leaked document he claims to be basing his concerns on.

Mr Berry “notes proposed changes to the 409 service which would severely limit access to the aged residents of Collingrove Court in Scullin”. He “therefore calls on the Government to review this proposal and ensure that services to Kippax are not cut from the abovementioned suburbs” - namely, Charnwood, Flynn, Fraser, Melba, Scullin, Hawker, Weetangera and Cook - “and access to public transport for the aged such as the residents of Collingrove Court is not reduced”. Let us have a look at the point that Mr Berry makes in the media that services should not be cut from these suburbs. It does not matter if no-one is using these services. It does not matter if the residents of the Belconnen area or of these suburbs mentioned by Mr Berry want different services. The facts are just not relevant to Mr Berry. He does not think about all the facts about what the people want.

Mr Berry reports in the *Canberra Chronicle* today that he has 950 signatures on a petition. He presented it this morning. Let us not worry about the other 90,000 residents who live in Belconnen. The 950 signatories who shop at Kippax and probably own shops at Kippax as well have been sucked in by the scaremongering of Mr Berry. It is not their fault. They have been told selective facts by Mr Berry, just as the CFMEU members were told selective facts last week by members of that union. Notice that I am being very careful, Mr Speaker, not to call anyone here a liar, because of your ruling before.

Let us look at the internal working document leaked to Mr Berry. The document, he claims, has details of all these cuts to services. Let me quote from the full document. Under the word “Aim” it says:

Recent Australian Bureau of Statistics journey to work surveys of Canberra commuters have revealed that a major disincentive to travelling on ACTION services is the high travelling time as a result of indirect bus routes.

The aim of this proposal is to increase the attractiveness of many Belconnen feeder services to ACTION passengers by reducing the journey length, travelling time, and by improving directness between Belconnen suburbs and Belconnen Interchange.

A further aim is to reduce costs to ACTION by eliminating duplication and overservicing of some suburbs, by re-routing Belconnen services to achieve a uniform level of service, closer to the ACTION service standards, and closer to the level of servicing provided elsewhere in Canberra.

What does that mean? It means that we are making sure that every area of Canberra gets basically the same amount of servicing; that no one area is overserviced in comparison to others. There are a number of proposals contained in that document. There is rerouting of services. There is the deletion of some routes and their replacement with others. There is an extension of some routes and there is a retention of extensions to others, and so the document goes on. As I said yesterday, this is all about good

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management practice. I am thankful that Mr Berry said that I have a certain amount of money in the budget to work with and I have kept to that amount of money. Thank you, Mr Berry, for calling me a good manager. If everybody else had done that when you were in government, we would not be in the mess that we are in now.

It is all about monitoring what your customers want. ACTION are now able to do this, thanks to the magnetic ticketing system and reviewing service delivery to meet demand. I say, "Hats off to Terry Connolly and David Lamont". The magnetic ticketing system is not something that this Government introduced. It was introduced under Ms Follett, by Mr Connolly and Mr Lamont, and we agreed with it. That magnetic ticketing system tells you exactly how many people are on a bus route and it tells you where those people want to go and when they want to go. That information was used by Mr Lamont and by Mr Connolly. There have been changes to the ACTION bus network since I came to Canberra in 1982. I do not know of any year in which changes have not been made to existing bus routes. What Mr Berry wants us to do is typical of Mr Berry. He says, "Do nothing. Change nothing. Do not listen to all the people. Just listen to a few selected ones that enable me, Mr Berry, to get my name in the newspapers and to get my picture in the newspaper. In other words, I shall use my own constituents for my own political purposes, so listen to me when I do that".

I was pleased to hear what Mr Moore said before, when he was introducing a Bill. He said that governments and other people in this Assembly have to make decisions based on two things: The benefit to the community and, conversely, the benefit to the individual member. I can tell you what is sacrosanct, No. 1, with Mr Berry. It is to forget the benefit to the community. As long as it benefits Mr Berry, then everything is okay. I can tell you, Mr Speaker, that this Government does not operate in that way. When I move an amendment to Mr Berry's motion, you will see why we believe what we believe.

Of course, if Mr Berry had his way, nothing would ever get changed. If the Government adopted Mr Berry's approach to management, ACTION, for example, would not be providing services to Gungahlin, to Banks or to any of Canberra's other newer suburbs. We would still be running off the 1989 bus timetable and totally ignoring changes in Canberra's demographics. This Government will not do that, Mr Berry. We would be totally ignoring the wishes of our constituents who use ACTION buses. By "our constituents" I mean all of our constituents. Sometimes I have made decisions in this place which affect people in my own electorate. Governments have a broader responsibility than just that little pocket of people who tend to vote for them from time to time. Mr Berry's attitude is to forget the community as long as his own personal internal feelings are met. This Government, Mr Berry, will not act in this way.

Some of the initiatives that are flagged in this internal working document, and that might be put forward for public comment, include the straightening out of some routes that meander in a time-consuming way through the suburbs. This is a result of surveying done by ACTION that shows that the majority of commuters are put off using buses because their routes take too long because, put simply, they are not direct enough. That is not what Mr Berry says; it is what the people who actually use the buses say. As a result of

that process, a service that currently goes via Kippax but has a particularly low patronage level might be rerouted and used more efficiently. That would be a benefit to the people at Belconnen, Mr Berry. Is that not what we are all interested in? Maybe not. Are we all interested in what Mr Berry wants to do?

ACTION will also be looking at the number of buses that go to Kippax in comparison with those that go to surrounding group centres such as Charnwood and Hawker. That is simply a matter of equity and commonsense. A number of suburbs that Mr Berry mentioned - such as Scullin, Florey, Hawker and Cook - have direct services to Kippax shops. However, these suburbs are intended to be catered for by other group centres such as Scullin and Hawker. Did Mr Berry go out and talk to the small businesses at Scullin and Hawker or Charnwood? Of course not.

Mr Moore: They are not group centres.

MR DE DOMENICO: They are shopping centres. I am sorry, Mr Moore.

Mr Berry: Some of the petition signatures were collected at Scullin shops.

MR DE DOMENICO: You did not say that, Mr Berry. You said Kippax. Come in here and tell us the whole truth and then we might be able to listen to you. In your interjection, you have just told us that you did not take them just at Kippax. You supposedly have taken them somewhere else. You should have said so.

Mr Berry: Mr Speaker, he used the words "the whole truth" again.

MR DE DOMENICO: My question to you, Mr Berry - - -

Mr Berry: He is again imputing that people are not telling the truth here. You have ordered him to withdraw, Mr Speaker.

MR DE DOMENICO: Mr Speaker, in order to get things going, if Mr Berry is precious about that, I withdraw it. My question to you, Mr Berry, is: Did you take your petition to the shopkeepers in these other centres - all of them? No answer. Did you ask them whether they thought it was fair that ACTION was reviewing bus services in the Belconnen area? No answer. Somehow, I very much doubt it, Mr Berry.

Another initiative that ACTION will be putting forward for public comment is the introduction of an off-peak shoppers service from the very suburbs Mr Berry is talking about to the Kippax centre. A review is done every year. We on this side of the house do not stand still, Mr Berry. We keep asking questions of the people who may want to use the bus service.

Mr Berry: You have received a bit of a jolt. That is what has happened.

MR DE DOMENICO: No, we do not receive jolts from you. You chuck marshmallows across the floor, and they land halfway. Do not talk about jolts. The only jolts you get are those you get every time you pick up a newspaper and you get a reflection of what the community thinks about you. Have a look at the cartoon today

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and see whom you should be in here supporting. Another initiative, let me repeat, that we will be putting forward for public comment before we make up our minds, as we do all the time, is the introduction of an off-peak shoppers service from the very suburbs Mr Berry is talking about to the Kippax centre. If there is a need, that service will be provided. If there is no need, the service will not be provided there; it will be provided somewhere else in Belconnen where it is needed.

I turn to Mr Berry's other specific claim - that the Government was cutting the 409 service and in doing so affecting the mobility of a number of elderly residents at Collingrove Court who use that service to get to Kippax shops. Mr Berry, you have the proposed new routes in the document in front of you - or perhaps you do not, because you did not quote from the full document. You were either too ignorant or too lazy to look through the route map and see that the proposed new route 407 - a different number, Mr Berry; 409 goes to 407 - stops at exactly the same spot as the current route 409 and goes to both Kippax and Belconnen. We have changed the number and called it 407 instead of 409. It is nearly the same route, Mr Berry. It stops at exactly the same spot as it has stopped at for the past five or six years, but we have changed the number of the bus from 409 to 407. I do not expect you to be able to understand that, Mr Berry, but there you go. Perhaps you are so underhanded that you knew the fact anyway and chose to ignore it in an effort to score some cheap political points at the expense of your constituents.

Ms Follett: Mr Speaker, I raise a point of order. The imputation that a member has been underhand and has deliberately misrepresented facts must be withdrawn.

MR DE DOMENICO: Mr Speaker, I ask you to rule on this. Mr Berry did not get to his feet. He does not seem to be that precious about what I have just said. Ms Follett is taking up Mr Berry's concerns. That seems very strange. Is there a new leadership team being formed? Is Mr Berry so precious - - -

Mr Berry: That is something you would not understand, Tony. It is a team.

MR DE DOMENICO: Would you like me to withdraw that, Mr Berry? If you are very precious, let me know.

MR SPEAKER: If people take offence - it does not have to be the individual - - -

MR DE DOMENICO: I withdraw, Mr Speaker. (*Extension of time granted*) Either way, Mr Berry should be condemned in this Assembly for his irresponsible actions from time to time. Mr Berry has got it wrong yet again. Last week it was the birthing centre and selling off Canberra's schools. This week it is the buses. Last week it was Mark Baker. Last night it was Geoff Zuber's reasons for resigning. It goes on and on. They are fact-free zones. We cannot trust them on all this sort of stuff. This is another one to run through the truth meter. Quite obviously, they are not interested in the facts, only in scaremongering and getting media attention. That is of great concern because, at the end of the day, nothing has been decided. It is no different to what Mr Lamont and Mr Connolly did. Out it came for public consultation with some sorts of suggestions that

the routes should be changed. They will be changed every year. Mr Berry went out there and said, "There will be wholesale cuts. Buses will not stop where they are supposed to stop. Elderly citizens will have to walk 500 metres, instead of getting picked up at the front of their houses". That is all absolute nonsense, all for the political purposes of Mr Berry. Nothing has been decided. All of the proposals coming out of the current review will be the subject of a public consultation process - just as reviews have been over a number of years - to commence within a few weeks.

Mr Berry will argue that his motion, his media beat-up and his scaremongering are all about ensuring that the Government takes notice of the people's wishes in developing the 1997 network timetable. There is one thing that it seems Mr Berry and I agree on; that is that the people's wishes need to be taken into account. All the people's wishes need to be taken into account. The difference is that this Government and ACTION undertake continual assessment of commuter patterns, patronage levels, et cetera, because at the end of the day it is what the ACTION people and the ACTION users want that must prevail, not what Mr Berry wants and not what I want. The result of this review will not be a cut in services but a better, more targeted service with buses going where Belconnen residents want them to go. As I said yesterday, why let the truth get in the way of a *Chronicle* story?

While I am on my feet, I propose the following amendment to Mr Berry's motion:

Paragraph (2), after the word "Kippax", omit "are not cut from the abovementioned suburbs", substitute "are not out of proportion with services to other group centres".

Mr Berry and other members of this Assembly should realise that not all small business people in Belconnen reside in the Kippax shopping centre. There are other small businesses in Belconnen that deserve the same sorts of services currently enjoyed elsewhere. In fact, there are proportionally more services going to Kippax than to the other shopping centres. It is up to this Government and this Assembly to make sure that the people of Belconnen have an equitable distribution of bus services to all shopping centres. That is not just what we want. ACTION has undertaken a study with the ticketing machine system introduced by the Follett Labor Government, which we all supported. The people who want to use the services are saying, "Please, make certain changes. Have a look at the demographics and have a look at the inequity that currently exists and make sure that all shopping centres in Belconnen, in the electorate of Ginninderra, are treated equitably in terms of ACTION bus services". I commend my amendment to the house.

MR HIRD (11.30): Mr Berry, after being in this chamber for about eight years, has finally found that there is a problem with bus services in Belconnen, in our electorate. He is wrong again. Mr Berry should have picked the phone up and had a conversation with the departmental liaison officers in Mr De Domenico's offices, and he would have found that the simple fact is that the bus number is changing from 409 to 407. Let us ask why we are streamlining the bus services in Belconnen, or anywhere in the ACT. The fact is that when we came into office the cupboard was bare. As a matter of fact, this Territory had been running on the Bankcard. Money was running out at a huge rate. We needed to take the helm and put this Territory back into financial shape.

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I understand that ACTION is running a debt to the tune of \$52m per annum. This Government, wisely and correctly, has taken up the challenge to correct this debt and to bring about some equity not only in the financial arena but also in services to the people of Belconnen. To that end, we are streamlining bus services, as happened under the Follett Government. Mr Lamont, when he was Minister, made some alterations. I recall them very well, but I did not hear a word or a murmur from Mr Berry at that time. He was in government, and he was not about to disagree with his colleagues in government. Mr Berry, from time to time I disagree with my colleagues and get results for my electorate. It is easy to mouth cheap words, but at the end of the day we need results for the people of Collingrove Court. We need results for those elderly people and we need the service. As I said, the fact is that the service is changing from 409 to 407. It has changed previously under different governments.

I am interested that Mr Berry should represent himself as an advocate for small business. On the one hand, he says that he wants small business to have bus services, which they are getting. He is wrong when he says that they are not getting them. On the other hand, by supporting 24-hour trading in the large centres he has challenged the right of small business to employ people and to be able to operate in the small centres. He has challenged that in this place. At least this Government is trying to come to grips with a problem which it was given and to come up with answers so that the small business operator in the smaller centres is not denied a service and is not denied the opportunity of making a living for his family. Such a person should be able to operate in a responsible manner, knowing that both financial services and bus services for the clients coming into those centres are available at a very affordable rate to the ratepayers and taxpayers of this Territory.

Mr De Domenico, through his department and Mr Flutter, the executive director of ACTION buses, has come up with a proposal to introduce an off-peak shopping service. That once again shows this Government's commitment to assist the users of the public transport service and small business in all centres. I believe that Mr Berry is very similar to the emperor who wore no clothes. He is using as a political football - - -

Mr Kaine: Do you mean he is a nude footballer?

MR HIRD: A nude footballer. He thinks he has clothes on but he does not. The fact is that Mr Berry is using senior citizens, elderly constituents, as a political football. Shame on him! He has only just found out that there are problems in the Belconnen area. This is just one. Mr Berry, why is it that you did not take up the issue raised earlier this year in the same area? Mr Stefaniak and I were approached by some senior citizens in respect of the off-peak bus arrangements, and we sorted the problem out. As a local member, why did you not go to the Minister and resolve the problem? I am certain that Mr De Domenico would have said, "It is a change in number from 409 to 407". Wayne, ask and you will get a sensible answer. Wayne, this Government is determined to do the hard yards. This Government is also determined to make certain that we get back into the black.

MR WOOD (11.36): Just to set the record straight on a couple of things, it was Kippax Fair that went to Mr Berry and said, "Please, can you help stop this insane approach?". It was the senior citizens who went to Mr Berry, as their representative, asking the same question. They did not go to Mr Hird - or, if they did, Mr Hird did not take any notice. Let us be quite clear. Mr Berry responded, as we all should do, to requests from the community. I want to make one other little comment. I have seen Mr De Domenico's tactics before, in respect of libraries. He put out a discussion paper, and you can bet your bottom dollar that that was going to be what happened unless there was a furore in the community. Then he went to a meeting and said, "I was not going to do that anyway. This is just a discussion paper. This is just to air the issue". This is the same tactic here. He puts out documents and says, "Oh, no, we are not going to do that. It is not as bad as you say it is. We are not going to cut eight services to Kippax. That is just a dream". I have seen this tactic before. Unless you respond quite vigorously to some of these discussion papers, you can be quite sure that they will be implemented.

MS HORODNY (11.38): I welcome any motion that gives the Assembly an opportunity to discuss the issue of bus services in the ACT and particularly to highlight the lack of service, the increasing lack of service, provided by ACTION. We also received the leaked copy of ACTION's review of the Belconnen services on which this motion is based. Given the current poor state of the ACTION bus network, we find it hard to believe the paper's view that some Belconnen suburbs in the Kippax area are overserved. I have had a lot of people ringing up and saying that they are very concerned about lack of services to Kippax in particular.

We can only conclude that the review is really about cutting costs and not about enhancing services. Indeed, the summary of this leaked document states that the No. 1 advantage of the proposed changes is cost savings to ACTION. The Government seems to assume that if only a few people are using a service it should be cut back, but the inconvenience caused by the cutbacks results in even fewer people using the service. Reduced passenger numbers then become grounds for cutting even more services.

Mr De Domenico: This is Green logic, is it?

MS HORODNY: It is basic commonsense, Mr De Domenico, that when you reduce bus services people cannot rely on those services any longer and they stop using them. This results in a downward spiral that will continue to make our public transport system worse and worse. Public transport in the ACT will always struggle to gain patronage and to be economically viable while governments put so much emphasis on improving private motor car usage and on minimising expenditure on public transport. Mrs Carnell actually said in a radio interview recently that Canberra was not designed to pay for itself; that it was made to look pretty, and we have so much public space to look after.

Mr De Domenico: She was right.

MS HORODNY: She was exactly right. I do not disagree with that. It is difficult to provide a good, healthy and economically viable public transport system in the ACT in the short term; but, Mr De Domenico, look at all the money that we are putting into the road system here. You said on TV last week, and I commended you for saying it, that we do not need another loop road in the ACT; we have too many roads as it is and they are

a huge cost to maintain. You were absolutely right. We agreed. Where is the Government's emphasis on public transport? That is the whole point here. What we should be doing is looking at ways of getting more people to fill the buses and not saying, "That bus is half empty and therefore we should cut it out". That is what you are saying. Let us be clever, Mr De Domenico - there are clever ways of trying to get people onto buses - rather than cutting out the service, which means that the people who do use it then have to find alternative means of transport.

Public transport is obviously a very necessary part of our transport infrastructure, and the promotion of public transport has very important environmental and social advantages which are not adequately recognised by government. There is a real social equity issue here that has to be fully addressed. Public transport is indispensable for those many people in the community who do not have access to a car or who cannot drive, particularly senior citizens. That is what this particular motion is about. Those senior citizens will otherwise have great difficulty in getting from their homes to their shops and to other local community services. Public transport provides a public service to the community. It cannot be regarded simply as a business that has to pay its way. Access to affordable and convenient transport within the city must be regarded as a right of citizens. We are a community here. We are citizens of that community, not just customers. We have to really modify this new ideology - - -

Mr De Domenico: We are also ratepayers.

MS HORODNY: We are ratepayers. That is exactly right. We are not just customers. We are part of a community, and we have made decisions about providing public transport and public services to this community because this community needs them. We said recently in a matter of public importance about public transport that the Government should congratulate users of public transport rather than penalise them by cutting services and by increasing bus fares. Public transport is more fuel efficient and takes up less road space than the equivalent number of cars. People who use public transport instead of private cars have prevented millions of tonnes of pollutants and greenhouse gases from being emitted into the atmosphere. They have saved millions of litres of petrol, obviously conserving a non-renewable resource and reducing petroleum imports. Yet all those additional costs to the community are not factored in when we look at the costs of public versus private transport. That is something that this Government has to look at seriously. Public transport users have also delayed the need to build more freeways, arterial roads and parking spaces to accommodate more cars.

The review's emphasis on cutting services to Kippax shops is a real concern. The Government has recently gone to considerable trouble to promote local shopping centres and restrict trading hours in the town centres. We certainly have supported you on that. It would be illogical for the Government now to make it more difficult for people to actually get to these local shopping centres. Kippax in particular - - -

Mr De Domenico: All local shopping centres, not just Kippax.

MS HORODNY: That is exactly right. Kippax in particular has suffered greatly in recent years. It has had cutbacks to the health centre, which may indeed close entirely. The library service has not been improved as it should have been. They are losing a bank at Kippax, and they are also suffering from a general decline in the quality of the public space. Further cutbacks in public transport access to Kippax will be just another nail in the coffin.

I have circulated an amendment to Mr De Domenico's amendment which would omit the words "are not out of proportion with services to other group centres" because I do not think it is appropriate to put all group centres into the one bag. As I was saying to Mr De Domenico earlier, some group centres such as Jamison or Dickson have a lot more bus services going past because they are closer to the town centres. We have to try to improve the services that go to centres like Kippax. Kippax is out of the way and regular bus services do not go past it, but it is an important centre for people who live around that area. People need to be able to access that centre. Again, it is a downward spiral. We know that Kippax is not doing very well as a group centre. We know that they need all the help that they can get in terms of improved services in that area. Yet Mr De Domenico is proposing that other group centres have their services cut to the level that the Kippax group centre is being cut to.

The document on the review of Belconnen services says that the major disincentive to travelling on ACTION services is the high travelling time as a result of indirect bus routes. The ACTION review group really needs to look at the whole book. It is full of looped services. Looped services do not reduce travelling time; they increase travelling time. It is not about direct bus routes; it is about indirect bus routes. My mother calls the new bus services tourist drives. That is what they are. You go through five other suburbs before you get to the one where you want to get off. That is fine when you are close to the end of the route and you are close to your destination, but on the way back you have to go through several suburbs to get to the stop that you want to get to.

MR SPEAKER: Ms Horodny, would you mind moving your amendment, before you sit down.

MS HORODNY: I move the following amendment to Mr De Domenico's amendment:

Omit "are not out of proportion with services to other group centres",
substitute "and other group centres are improved".

MR MOORE (11.48): Mr Speaker, I will speak to the whole range of issues at the one time. It seems to me that, whilst it is appropriate for Mr Berry to call for a review of bus services where there has been a problem - I do not have any problem about that - there are problems in effectively finding ways to dictate to the Government what they should do about one particular bus route. I raise that because it is like a jigsaw puzzle. The *Bus Book* is put together with a whole range of different things that are linked into how bus services are delivered. It seems to me that we therefore have to be very careful about the wording of such motions.

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I do not have a problem with the part of paragraph (2) of Mr Berry's motion that calls on the Government "to review this proposal". When it goes on to use the words "and ensure that services to Kippax are not cut from the abovementioned suburbs", you then have a situation where Mr Berry seeks effectively to dictate to the Government. From my own discussions with Mr Berry, I believe that he is saying that he is not trying to dictate; he is actually trying to raise the issue and make sure the Government looks at it.

Mr Berry: They exercise their own judgment on the issue.

MR MOORE: He now interjects to say, "They exercise their own judgment". I do not think that is quite good enough. The amendment put up by Mr De Domenico says that it is not about whether to cut or not to cut; it is about ensuring that the services to Kippax are not out of proportion with services to other group centres. The difficulty with this amendment is that it is a fairly generic thing which is almost meaningless. It worries me that somebody might come back and say, "We have one more bus service going to Dickson than we have going to Kippax; therefore, it is out of proportion". The flip argument to that is that Dickson is a bigger group centre. What are we going to do there?

There is a series of issues that bring me back to the point that we are dealing with a jigsaw of bus routes and bus services. It is for those reasons that I am inclined to vote against the whole motion. Mr De Domenico's amendment is that they not be out of proportion with the services to other group centres. It is a fairly generic sort of amendment, but I suppose it would work. It would require him to review the general proposals. That is certainly the goal that Mr Berry is after.

Mr Berry: No; that asks us to endorse his cuts.

MR MOORE: I hear the interjection that Mr Berry is making, namely, that effectively we would wind up endorsing Mr De Domenico's cuts. That takes me back to the position I started with - that it is appropriate for this Assembly to call on the Minister to review something like a specific bus service where it has been cut, but it is not up to us to dictate this sort of measure when there are so many other things that hang off a single change to a bus service.

Ms Horodny put the Greens' perspective and her perspective. In effect, she said, "Let us increase all bus services". I understand where Ms Horodny is coming from. But that has budget implications. Mr De Domenico recognises that it is the Greens' perspective. In fact, it is my perspective that if we can increase public transport we should, but that has to be done within the budget context. Mr Speaker, having gone through that process, I believe the appropriate thing for me to do is to support the Government amendment. That will actually bring about a review of this proposal. However, I am still prepared to listen to what Mr Berry has to say. It may well be that it is better simply to knock off altogether the motion that Mr Berry has put up, with the understanding that the Minister will actually realise that there is a need to look at this and to review it in the context of the whole range of bus services in that area.

MS FOLLETT (11.54): Mr Speaker, I rise to support the motion that has been put forward by Mr Berry. I do so from a particular position that I have adopted throughout my time in the Assembly. That position is that the ACTION bus service is just that. It is a service which is provided to the people of the Territory by the government of the day. It is not, as both Mr Hird and Mr De Domenico seem to imply, some kind of profit-making venture. It is this Territory's public transport system. I believe that, if you have a public transport system, then you must be prepared to pay for it. I do not know of any public transport system in the world that makes a profit. It is also the case that over the years since self-government ACTION has been called upon to make quite major reductions in the cost of providing that service. For Mr Hird to pretend that that is not the case is simply fallacious.

Mr Hird: I did not say that at all. I said that you did it when you were in government. You reduced its money.

MS FOLLETT: Mr Speaker, would you protect me from these members.

MR SPEAKER: Continue, Ms Follett.

MS FOLLETT: The ACTION bus service has been on a funding agreement for many years. That funding agreement specifies major reductions, initially of the order of \$10m and later increased, in its annual running costs. As the leader of the government that first started that cost cutting, of course I support any further measures which would make ACTION a more efficient and less costly exercise.

However, the overriding concern that I have is that the ACTION service delivers a service to the Territory. It is there as a safety net for the very many people in our community who either cannot afford or do not want to make use of a private car. I believe that any government with any kind of an environmental agenda simply must support a public transport system that is user friendly, that is comprehensive and that truly does serve the needs of the people of this Territory. That has to be the first consideration, not the last one. I think it is that philosophical difference between the current Government and other members of the Assembly that is at the heart of this debate. It is quite apparent to me that the people of the suburbs of Charnwood, Flynn, Fraser, Melba, Scullin, Hawker, Weetangera and Cook are entitled to an adequate bus service. I believe also that they are entitled to be consulted on their needs in that bus service.

By way of illustration, I would like to indicate what can happen to an area that does not raise hell about its bus service. One such area is in my electorate. The area is the Causeway. Without so much as a by-your-leave, on a totally unilateral basis, ACTION has cut out weekend and Friday night bus services to the Causeway. They maintain that these services had low patronage. That is incontrovertible. They did have low patronage. There are only 70 households in the Causeway, so they are never going to fill one bus, even if they all get on. Low patronage is, of course, a feature of a small suburb. However, rather than just rationalise the buses and put on one or two over the weekend, they have cut them all out. There is not a bus now.

The Minister and ACTION have said that the residents of the Causeway can walk the 600 metres or more to Kingston or to Wentworth Avenue and catch a bus if they can find one. That is not acceptable any more so in the Causeway than it would be for the residents of Belconnen. Many of the residents of the Causeway are elderly; many of them have disabilities; many of them are single parents. Mr Speaker, if you have ever tried to walk 600 metres, crossing a major thoroughfare such as Wentworth Avenue, with small children and your weekly groceries, I can tell you that it is no easy task at all.

What has happened to the people of the Causeway is, I believe, the agenda for the rest of Canberra. It is even worse than that. When I wrote to the Minister for details on the services that had been cut, I raised the service that the people of the Causeway refer as the workman's bus. That is the bus at around 7.30 in the morning that used to come through and take all the people who were going to work or had to go to an interchange to catch another bus. My constituents had said to me, "This bus has not been turning up. It is in the *Bus Book*, but it does not turn up". The Minister wrote back and said, "It should not be in the *Bus Book*. It is a mistake. That service has been cancelled". The residents of the Causeway have lost what they referred to as the workman's bus, a service which they had relied upon completely for many years. No debate, no discussion, no rationale; it is gone. That is what has happened in the Causeway. That is what will happen throughout Canberra unless people show the kind of vigilance and fervour demonstrated in the motion before us today.

Members should support this motion, and they should take every opportunity to keep ACTION on its toes and to keep ACTION delivering what is an essential service in our community. If that service is allowed to fall into decay, as seems to be the case, if people realise that they can no longer rely upon their public transport system, people will desert it in droves. I used buses in Canberra for something like 30 years. If your service is cancelled, I know the crisis of confidence that that engenders and the way you go out and make other arrangements. You try to get a lift, or you buy a car.

It would be a catastrophe if that were to become widespread, because not only would ACTION be showing even lower returns on the services that it runs, but we would also see increased numbers of cars on our roads, at even further risk to our environment and to our municipal budget, because there is a cost to maintaining roads in the state necessary for buses to run on them. That cost is never counted in this debate. It would be a catastrophe for people in our community at the lower end of the socioeconomic scale who cannot afford a car - for the many retired people, people on pensions and single parents who have no prospect of buying a car and for the students who are on very limited means. I hope that it is not the agenda of this Government to run ACTION into such a state of decay that it is not used and not relied upon. That would be a disaster for our community. I support this motion and any other such motion that calls on ACTION to do its job as the community sees fit.

MR STEFANIAK (Minister for Education and Training) (12.01): I hardly think it is the aim of this Government to do anything other than improve ACTION. I would hope that would apply to whatever government was in. Ms Follett mentioned a number of things which I found quite interesting. To my knowledge, she is right in saying that no bus service provided by a municipal authority anywhere in the world actually makes a profit.

They are all subsidised, but that does not mean that we cannot make them as efficient as possible and ensure that, as best as they possibly can, they fulfil the needs of the citizens they service. It is true to say - I think everyone would accept it - that they do not make a profit. I cannot think of any one that does, but certainly some are more efficient than others. Since I have been here in this Assembly or observing it, I think all governments have made some attempt to make ACTION more efficient.

My first conscious experience on a bus was when I was about three or four. There have always been problems with various routes. There have always been concerns about how far people need to travel to a bus stop. I can vaguely recall that when I was about four we moved from Ainslie to Narrabundah. The buses did not go further than Griffith. My mother, who was reasonably elderly, had to walk a kilometre or so with shopping and a four-year-old child. That continued for about 18 months until a new bus service was put in. Like Ms Follett, I have travelled on ACTION buses or their predecessors for probably 30 years or more. I think we fully appreciate the need for students, the elderly and other people to use that service. That is why, Mr Berry, this Government, which is very responsive to consultation, appreciated the need of those residents in Scullin to have a bus continue to go from the bus stop outside where they live to Kippax and to Belconnen Mall. There is a real need for that.

I am aware of constant criticisms of ACTION and its predecessors in relation to bus routes, going back to the 1950s. Under the previous Labor Government a number of constituents in Belconnen came to me with problems about proposed changes. That was the case under the first Labor Government and the Alliance Government. There have always been concerns in relation to what the proper bus routes should be. As Mr De Domenico said, now that we have a new ticketing system we have some means of objectively measuring the demand and where and when people actually want to use buses. He quite properly and quite graciously commended the former Government and Mr Lamont and Mr Connolly for introducing that ticketing system. It is an objective and valuable means of targeting where buses need to go. It is something that is being used and is terribly important as we constantly review bus services.

There was some criticism from Mr Wood and Mr Berry in relation to the ACTION planning document that appears to have been leaked. It is only a planning document. Mr Wood criticised Mr De Domenico for floating things and then, if they got a lot of criticism, changing them. That is better than just doing something without going through a consultation process. Certainly, one of the great criticisms in the Second Assembly was about the lack of consultation by the previous Labor Government. At least that document is consultation. At least you can gauge some community reaction and see whether, in fact, the document needs amending and come up with a desirable outcome, as is the case here.

As good local members, both Mr Hird and I spoke to the old people at Scullin. Quite obviously, what was proposed there was wrong, and accordingly it was changed. The people there will probably get a much better service than they have now. Under the present proposals for that particular region, they will actually get a weekday off-peak Kippax shopper service. Those old people like going to the Kippax centre and

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doing their shopping, often attending to medical needs. They will have a very innovative and very sensible new service. Services to Belconnen Mall and to other areas will also continue to go past their place. The one that concerns them - and I accept that they go to Kippax quite frequently for their needs - is a new off-peak weekday service.

Even though Mr Berry wants to score as many cheap political shots as he possibly can, this whole debate has resulted in some very good consultation and some very sensible amendments to what was only ever a proposal. No doubt, as my colleague Mr De Domenico and his ACTION bus staff go through the information they get from the ticketing system, further amendments can be made to improve the service. I think it is important to realise that, as was the case when those opposite were in government, nothing stands still permanently. We cannot simply mark time and have absolutely no change. People's patterns change. Demography changes. It is important for ACTION buses to constantly review services. Now they have an objective means of doing so.

If Mr Berry reads the ACTION planning document, he will see that the initial proposal actually adds a couple of new routes, deletes a couple of routes and reroutes a couple of routes; so it is a bit of a mishmash which probably balances out fairly evenly. It is just that - a planning document. There have already been amendments to it. As Mr De Domenico has said, he is going to send it out for consultation. I think that marks a very big difference between this Government and the previous one. We are prepared to consult. We are prepared to go out and talk to people. We are prepared to talk to people who come to us with a problem. I do not care how they come with a problem. I do not care even if it is through you, Mr Berry. That is fine. If it is a valid problem and I can do something about it, I will.

Mr Berry: "We will not close the school if the community wants it".

MR STEFANIAK: He talks about closing a school. I think we all know about that debate. Over six years the numbers at Charnwood dropped and you lot did nothing about it. Do not try to sheet that home to this Government. That is pathetic.

Ms McRae: What are you doing about Stirling? You are scaring them to death.

MR SPEAKER: Relevance, Mr Stefaniak.

MR STEFANIAK: Ms McRae talks about scaring them to death. Here is the woman who had this Government selling every single school last week. You have short memories. Look to yourself, Ms McRae. You are unbelievable. There have been a lot of changes to ACTION. We will continue to see changes. We will continue to see changes to the various routes. That is just something that is going to happen.

I make one other point before I finish. I am constantly amazed in recent times at how Mr Berry is suddenly trying to portray himself as the champion of small business. This is someone who is recognised probably Australia-wide as a very extreme member of the Left faction of the Labor Party. I think they must be chuckling behind their hands every time he jumps up and says he is a champion of small business. Mr Berry criticised Mr Hird and me in relation to this issue, saying, "You are not representing your constituents". I remind him of a meeting we had in Kippax in May 1994 when residents

criticised some Labor Party policies. Of course, Mr Berry, being a good party member, sought to defend those policies. One of those related to some not terribly popular units that it was proposed be built. Threats were also being made to close the Kippax library. It is still there, Mr Berry, and I think you will find in February 1998 that that library is still there booming along and open. Back in May 1994 the boot was on the other foot. The people thought that Mr Berry's Government were going to close the Kippax library. Talk about swings and roundabouts, Mr Berry! We have a big advantage now in assessing where we go in the future with ACTION. We have the ticketing system, which is proving to be a useful source of information. That will greatly assist this Government and any future governments in addressing where ACTION services are best targeted and how best they can serve the needs of our community.

MR WHITECROSS (Leader of the Opposition) (12.11): Mr Speaker, I rise to support this motion. In essence, this motion is a very simple motion - not, I would have thought, a particularly controversial motion - and one that the Government, if we are to believe all their protestations of innocence, ought to be quite happy to support. This motion notes some of the proposals which are in ACTION's document, but the bottom line is that it "calls on the Government to review this proposal and ensure that services to Kippax are not cut from the abovementioned suburbs and access to public transport for the aged such as residents of Collingrove Court is not reduced". This is a highly uncontroversial motion. This is a motion which says that the Government should think again and that it should not cut services. That is really all it says. That should not be a controversial proposal. It should not be a proposal which troubles Mr Moore. It should not be a proposal which troubles Mr Osborne. All it is saying is that we here in the Assembly do not think these services ought to be cut.

Mr De Domenico: They should, because if we do not cut services to Kippax we might have to cut them in Tuggeranong.

MR WHITECROSS: Mr De Domenico says, "If we do not cut the services in Kippax, we might have to cut some more services in Tuggeranong". I do not think even Mr Osborne is going to fall for that threat, Mr De Domenico. As Mr Osborne knows better than most, they have already been cutting services in Tuggeranong. Threatening to cut more is not likely to endear Mr De Domenico to anybody, particularly his own voters.

Despite the fact that this motion is a very uncontroversial motion, a motion which should offend nobody and should not offend a Minister committed to a good quality ACTION bus service, the Minister still felt moved to move an amendment to say that we should ensure that services to Kippax "are not out of proportion with services to other group centres". There would not be a person in this place who does not realise that they are just weasel words that Mr De Domenico will wave in our face in three months' or six months' time when he says, "You agreed to let me cut the services". If we do not want to be part of a motion which says that we agree that Mr De Domenico can cut services, we have to reject that motion out of hand. They are just weasel words designed by Mr De Domenico to try to trick the Assembly into giving our endorsement to a cut in services. The fact is that the original motion is a strong motion. It says that there is a proposal to cut services and that the Government should review the proposal and not cut services.

Mr Moore took the view that this motion was going to lock us into a particular route, a particular set of streets down which a particular bus could go, and that therefore it was overly inflexible and should be rejected. That is simply not the case. All that this motion says is that the Government should not cut services to Kippax and should make sure that there is a public transport service to the residents of Collingrove Court. It says nothing about not making any changes to any routes. It just says not to cut services. It does not say that they cannot find a more effective way of delivering the services, but it says not to cut the services.

Mr De Domenico: What if the more effective way is to cut some services?

MR WHITECROSS: Mr De Domenico compounds his reputation in the community by saying that, in his opinion, the best way of improving the service is to cut it. We did not need that confirmation, but there it is anyway. Mr De Domenico says that the best way to improve the service is to cut it. Have we not seen him improving the ACTION bus services in Canberra? He cut 10 per cent of the services in Tuggeranong at the beginning of this year. Mr De Domenico consulted about that. We all saw how he consulted. He put a thick book in a tent at the Canberra show and said, "Write down any comments you have". That is his idea of consultation. Then they published the *Bus Book* as written. That is what I call consultation! Mr De Domenico's model of consultation is to announce what you are going to do and say, "What do you think?". If anybody bothers to tell them what they think, they ignore it and do what they were going to do anyway. That is Mr De Domenico's model of consultation.

Mr De Domenico has "improved" services in Tuggeranong by cutting 20 per cent of the services there. He cut 10 per cent of the services across Canberra in the last *Bus Book*, but he did not cut a lot of services in Belconnen, so he said to his department, "Oh, my goodness! We cut services in lots of other parts of Canberra, but we did not really do a job on Tuggeranong. You had better go back and see whether you can do a job on Tuggeranong". He has his department trying to figure out how to improve services in Tuggeranong, just as they improved them in Weston Creek, just as they improved them in Tuggeranong, just as they improved them in North Canberra.

Ms Follett: And the Causeway.

MR WHITECROSS: And just as they improved the services in the Causeway.

Mr De Domenico: Tell us what you would do, Einstein. Instead of whingeing and moaning, tell us what you would do.

MR WHITECROSS: Mr De Domenico wants to know - - -

Mr De Domenico: You are a whinger.

MR SPEAKER: Order!

MR WHITECROSS: Mr De Domenico and Mr Stefaniak tried to run the argument - - -

Mr De Domenico: You do not have any ideas of your own, for heaven's sake. You are a whinger. You listen to what the CFMEU tells you to do because they have got the strings on you.

MR WHITECROSS: How is your right ear going, Mr Speaker?

MR SPEAKER: Order! Mr Whitecross has the floor.

MR WHITECROSS: Thank you, Mr Speaker. Mr Speaker - - -

Mr De Domenico: You are a poor excuse for a leader. We want Rosemary back. She was at least sensible.

MR SPEAKER: Order!

MR WHITECROSS: You should shut him up, Mr Speaker.

Mr De Domenico: You do not like it, do you?

MR SPEAKER: Order! Otherwise, I will take action.

MR WHITECROSS: These people say, "The Labor Party did nothing about ACTION when they were in government. They just let it go on as it was. They did not have a single idea about ACTION". A more cynical and fallacious rewriting of history than that would be hard to imagine. We did lots for ACTION when we were in government. We worked with the unions in ACTION to make the bus services more efficient. We struck agreements which reduced the amount of time drivers on the payroll were sitting around doing nothing. We reduced the ACTION subsidies by working with the work force in ACTION. That is not the way Mr De Domenico does it. He thinks it up himself and then rams it down their throats. We worked with them.

Mr De Domenico: The first union that signed off the EBA was the Transport Workers Union.

MR SPEAKER: Order!

MR WHITECROSS: It is Mr De Domenico, Mr Speaker, if you want to name him.

MR SPEAKER: Continue, Mr Whitecross.

MR WHITECROSS: Who introduced commuter express services to try to make it more attractive for commuters to use ACTION buses to get to work? It was not Mr De Domenico.

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Ms Follett: What about the Nightrider service? It was cancelled.

MR WHITECROSS: Who put up the Nightrider experiment which Mr De Domenico cancelled at the first opportunity when he got into government? For the last 12 months Mr Humphries has been bleating about problems with people in Civic late at night, yet he cancelled the service which could have moved some of those people out of Civic back to where they live.

Mr De Domenico: It is cheaper to give them taxis, which is what we have done.

MR WHITECROSS: You did not give them taxis either, Mr De Domenico, so that is not much of an argument.

Mr De Domenico: Yes, we did. We gave them 15 more, and you were against that, too.

MR WHITECROSS: That is not much of an argument. You did not pay for the taxis. This is the problem with Mr De Domenico. He has done nothing to make ACTION more attractive to the customers. He has done nothing to make it more attractive for the consumers. He has reduced the service to make it hard to catch a bus, and he has put the fares up 50 per cent. He has not worked out a strategy for making it attractive to use buses.

We need quality public transport in the city, and Mr De Domenico is not providing it. Instead, he comes up with proposal after proposal to reduce the service. If the residents of Belconnen are a bit upset about this proposal and are bouncing up and down a bit about it, Mr De Domenico should not be surprised. They have all been reading the papers. They have been watching the news. They know what he has done in Weston Creek. They know what he has done in Tuggeranong. They know what he has done at the Causeway. They know what he did to the Nightrider service. They can see that they are next. If Mr De Domenico wants to demonstrate that he listens to the community, that he understands their concerns, that he is going to mend his ways, he ought to support this motion, because this motion is about saying, "We want to have a good quality public transport system, one which is going to be attractive for commuters to use, not one which gets smaller every day and more expensive every day", which is how ACTION is under Mr De Domenico.

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

MR BERRY (12:21): Mr Speaker, I am not closing the debate. I am just going to confine myself to the amendments which have been put before the chamber. The amendment moved by Mr De Domenico seeks to get the endorsement of this Assembly for his cuts. It is an amendment which must be opposed. It strikes out the words "are not cut from the abovementioned suburbs", which are the eight suburbs which feed the Kippax shopping centre. If we were to endorse that amendment, that would be an endorsement by this Assembly of a cut to the services which feed the Kippax centre from those suburbs. That must not be endorsed.

Mr De Domenico is seeking an endorsement of cutting the services from those suburbs. Those are the very services which are affecting the small businesses in the Kippax centre. They are the ones that they are really worried about. They affect also other services that are in operation around the centre. There are licensed clubs which have built their business on the availability of services from those suburbs. To strike them out now would be a cruel act. It is very clear that services from those suburbs are intended to be cut. Mr De Domenico has quite deliberately moved to exclude those suburbs from the motion to seek to get this Assembly's endorsement of a cut to those suburbs. The Kippax centre and all its businesses cannot afford to have all of those services cut. It will damage small business; it will damage licensed clubs and the services that they provide to the community in the area.

I want to talk now about the Greens' amendment. The Greens' amendment, in effect, endorses the amendment that Mr De Domenico moved to strike out the words about the withdrawal of services from the eight suburbs. Labor cannot support the amendment which has been moved by the Greens, because in effect it gives you the option of striking out - - -

Mr De Domenico: You disagree with everybody? You are the only one who is right, are you saying - as usual?

MR BERRY: I think the Greens are entitled to feel that they have been - - -

Mr De Domenico: Everybody else is wrong; the world is wrong and Wayne Berry is right?

MR BERRY: No, the community is right. The Greens are entitled to feel that they have been tricked by this. You could not possibly pass an amendment which would allow those words to be included in the motion. It would mean that this Assembly endorsed the withdrawal of services which affect small businesses in the area. Labor will be opposing both amendments because they seek to destroy the effect of the motion.

MS HORODNY: Can I say a few words on the amendment, Mr Speaker?

MR SPEAKER: You may seek leave.

MS HORODNY: I seek leave to speak to my amendment, very briefly.

Leave granted.

MS HORODNY: Mr Berry says that the wording that I have chosen cuts out the intent of his motion. I do not believe that it does. I believe that the intent of his motion is covered in the two choices of words. One is to "ensure that services to Kippax are not cut from the abovementioned suburbs", which I have replaced with "to ensure that services to Kippax and other group centres are improved". The first paragraph of Mr Berry's motion, about the review of services by ACTION which proposes to cut services to Kippax, I believe, is covered in the second part of paragraph (2), which says

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“access to public transport for the aged such as the residents of Collingrove Court is not reduced”. That covers the concern that I have. I believe Mr Berry is wrong in saying that the changes that I have made to the motion eliminate the intent of paragraph (1) of his motion. I do not believe they do, but I am suggesting that we say that the services, particularly the service to Collingrove Court, should not be reduced. That adequately covers the intent of paragraph (1).

MR BERRY (12.27): Mr Speaker, the first point I want to make is that there seemed to be some element of surprise amongst the Ginninderra MLAs on the Liberal benches about this matter emerging as a result of a contribution that I made to the debate. A copy of the very first letter that was written on this was sent to Mr Harold Hird. What I am disappointed about is that Mr Hird - - -

Mr Hird: What was that?

MR BERRY: A copy of the very first letter that was written on this by the Kippax Fair management was sent to Mr Harold Hird. What I am disappointed about is that there has been no action by Mr Hird to stop these moves going ahead. It seems like an act of harakiri. This is something that emerged from the community. I will table the letter if you like. It was a letter to Mrs Carnell. It was sent to Ms Horodny, me, you and the *Chronicle*. Mr Speaker - - -

Mr Hird: I ask that the letter that the member is referring to be tabled.

MR BERRY: I do not have it in front of me, but I will table it in due course.

Mr Osborne: I have a copy of it here.

MR BERRY: I seek to table that letter over there.

Mr De Domenico: So you have shown it to Mr Osborne?

MR BERRY: Everybody has it.

Leave granted.

MR BERRY: Mr Hird has missed the boat completely on this. He is the patron of the West Belconnen Leagues Club, and being threatened are bus services from eight suburbs that feed into the area which is serviced by that club. I would describe that as gross dereliction of duty.

Mr Kaine: So you will have to assume that he knows more about it than you do.

Mr De Domenico: He knows a little bit more about it than you do.

Mr Stefaniak: When you lot were in power last time, you cut services to Belconnen. Where were you then?

Mr Hird: Where were you? You were nowhere to be seen.

Mr Stefaniak: Where were you when they cut services to Belconnen in 1993-94?

MR SPEAKER: Order! If this noise keeps up I shall suspend the sitting.

MR BERRY: It is a gross dereliction of his duty to the club he is patron of. This is an important motion which ensures that bus services to the Kippax centre are preserved, that small businesses in the Kippax centre have their futures guaranteed and that they do not have the ground rules changed under them. People have bought into businesses there and developed businesses on a comprehensive bus service from eight suburbs. The community has built clubs and other facilities in that centre on the basis of bus services from those eight suburbs. We cannot endorse a move to withdraw the buses from those suburbs. This is a motion that calls on the Government to review this proposal and ensure that services from those suburbs to Kippax are not cut. Not everything stays the same. This is not a direction to the Government that everything has to stay the same. This calls on the Government to review its proposal and ensure that services to Kippax from the suburbs mentioned are not cut.

Mr De Domenico: In other words, stay the same.

MR BERRY: If I wanted you to ensure that they were all going to be there, I would list them by number and the streets they traversed and ensure that they were all going to stay exactly the same. Mr Speaker, what I am saying to the Government is that they ought to review the services in accordance with the intent of this motion and ensure that services to Kippax from Charnwood, Flynn, Fraser, Melba, Scullin, Hawker, Weetangera and Cook are not cut. What you intend to do now is to cut services from those suburbs. This motion calls on the Government to review this and to save small businesses. Small businesses are not doing it very easy at the moment, as everybody knows, and - - -

Mr De Domenico: Especially the Parliament House bookshop.

MR BERRY: Mr Speaker, the interjection about the Parliament House small business - - -

MR SPEAKER: Should be ignored. It is irrelevant.

MR BERRY: I suppose it should be ignored. It is owned by the Government, for heaven's sake.

Mr De Domenico: So that makes a difference?

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MR BERRY: It is not a small business.

Mr De Domenico: The people who work there are different, are they?

MR BERRY: The Commonwealth is small business?

MR SPEAKER: Mr Berry, continue.

MR BERRY: Small businesses think they are being abandoned because this mob opposite think the Commonwealth is a small business. These small businesses have to be protected. This motion serves notice on the Government that business is concerned and that they want a bus service to those eight suburbs maintained in order that - - -

Mr De Domenico: Yes, maintained; in other words, no change.

MR BERRY: It is not a no-change motion. If I meant no change, I would have said no change. I know the attitude of Mr Moore on these issues. That is why the motion has been written in this form. There is room to move, but you shall not totally withdraw services from those eight suburbs, because it will impact on those businesses. You must not undermine those services to the Kippax centre. Mr Speaker, I urge members to support this motion.

Amendment (**Ms Horodny's**) negatived.

Question put:

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

The Assembly voted -

AYES, 7

Mr Cornwell
Mr De Domenico
Mr Hird
Mr Humphries
Mr Kaine
Mr Moore
Mr Stefaniak

NOES, 8

Mr Berry
Ms Follett
Ms Horodny
Ms McRae
Mr Osborne
Ms Tucker
Mr Whitecross
Mr Wood

Question so resolved in the negative.

Question put:

That the motion be agreed to.

The Assembly voted -

AYES, 8

Mr Berry
Ms Follett
Ms Horodny
Ms McRae
Mr Osborne
Ms Tucker
Mr Whitecross
Mr Wood

NOES, 7

Mr Cornwell
Mr De Domenico
Mr Hird
Mr Humphries
Mr Kaine
Mr Moore
Mr Stefaniak

Question so resolved in the affirmative.

PERSONAL EXPLANATION

MR HIRD: Mr Speaker, under standing order 46 I would like to make a personal explanation.

MR SPEAKER: Yes.

MR HIRD: This precious letter that our learned colleague Mr Berry is talking about certainly has my name on it, but it is addressed to Mr Berry and the comments by the writer are made to Mr Berry. I understand that Ms Horodny received a copy. I do not know whether the *Northside Chronicle* received a copy, but I certainly did not. That is the first I have seen of it. For Mr Berry to put some weight on it is interesting to me. As for my being patron of the West Belconnen Leagues Club, I am honoured to have been a patron of that organisation for many years and to be patron for many years in the future.

Sitting suspended from 12.39 to 2.30 pm

STANDING ORDER 118A - ANSWERS TO QUESTIONS ON NOTICE

Statement by Speaker

MR SPEAKER: Following question time last Tuesday, Ms Horodny asked a question of Mr Humphries under standing order 118A. She sought an explanation concerning an answer to a question on notice that had taken 58 days to answer. At the time of asking the question Ms Horodny indicated that she had already received an answer and, following a comment from Mrs Carnell, I ruled that a question could not be asked under standing order 118A. My recollection of the initial adoption of this standing order was that it was proposed as a means of encouraging the timely provision of answers to questions that were placed on the notice paper.

I have considered the matter and reread the standing order. I am now of the view that standing order 118A does allow a member to seek an explanation after 30 days has elapsed, even if the member has received the answer. However, if a Minister is unable to provide an answer within the 30 days and provides an explanation satisfactory to the member who asked the question within that period, then a request for an explanation under standing order 118A will not be permitted.

STANDING ORDER 46 - PERSONAL EXPLANATIONS

Statement by Speaker

MR SPEAKER: Last Thursday Ms Follett took a point of order concerning a ruling I had made in relation to a personal explanation made by Ms Tucker. Ms Follett asked that if I have a particular interpretation of what constitutes a matter of a personal nature it would be a good idea to advise the Assembly of such a decision in due course.

Personal explanations are made pursuant to standing order 46. Provided that no other member is addressing the Assembly, the member wishing to make a personal explanation obtains the leave of the Chair, not the Assembly, to explain a matter of a personal nature. The member must not debate the matter. Members may recall that on 21 February this year I made a statement concerning the operation of standing orders 46 and 47. It is of interest to note that in certain other jurisdictions - the Australian Senate and the New Zealand House of Representatives - it is necessary to obtain the leave of the house, not the Chair, before a personal explanation can be made. *House of Representatives Practice* states:

In making a personal explanation, a Member must not debate the matter and may not deal with matters affecting his or her party or, in the case of a Minister, the affairs of the Minister's department; the explanation must be confined to matters affecting the Member personally. A Member cannot make charges or attacks upon another Member under cover of making a personal explanation.

That is from page 470 of *House of Representatives Practice*. It should also be remembered that members may make use of other opportunities during proceedings, especially the adjournment debate, to raise issues of concern.

In responding to Ms Follett's request as to whether I had a particular interpretation of what constitutes "a matter of a personal nature", it is somewhat difficult to give an absolute definition. Having considered the practice here and elsewhere, I propose to use the following criteria, which all members might like to listen to. The matter must be personal to the member and the explanation confined to the matter that is personal to the member and should not be debated or not be used to commence a debate. I would envisage that explanations would be made by members in instances where they have discovered that they may have inadvertently misled the Assembly, or have been accused of improper practices or conduct either inside or outside the Assembly, or where a member's word has been doubted or impugned. A member could also use the procedure to explain where they had been misquoted or misunderstood, though I remind members that during debate they should make use of the provisions of standing order 47, where leave of the Assembly or the Chair is not required.

I also remind members that, should they wish to go beyond the terms of a personal explanation and enter into a debate on the matter or take issue with another member, the leave of the Chair will be withdrawn, as is the case in the House of Representatives. If a member proposes to go beyond the confines of standing order 46 it may be better for the member to seek leave of the Assembly to make a statement or use other forms of the Assembly that may be available.

I intend to follow the practice of the House of Representatives in asking that members inform the Speaker before seeking leave to make a personal explanation, which in fact happens now; not allowing personal explanations to be made during question time, usually allowing them to be made only at the conclusion of question time, although there may be other occasions between items of business where circumstances require them, which again is something which happens already; and, finally, if the member uses the personal explanation to enter into a general debate the leave granted by the Chair will be withdrawn. If members follow these guidelines I am sure it will lead to more orderly debate in the Assembly.

QUESTIONS WITHOUT NOTICE

Housing Trust - Sales

MR WHITECROSS: Mr Speaker, my question without notice is to Mr Stefaniak, the Minister for Housing. Minister, why is the Government selling ACT Housing properties on the open market, given that the housing market is so depressed? Is it true that some of these houses are selling at well below valuations? Are you concerned that the Government's action in selling properties on the open market at well below valuations is having an adverse effect on housing prices in Canberra at the moment?

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MR STEFANIAK: I thank the member for the question. I do not know what other sort of market you would expect us to sell them on, Mr Whitecross, apart from an open market.

Mr Humphries: The black market, perhaps?

MR STEFANIAK: The black market, perhaps, or something like that. I think you will find, Mr Whitecross, although you were not in the previous Labor Government, that it was also their practice to sell houses on the open market. They also did not sell them on the black market. That is a relatively common practice. It is a sad fact at present for anyone selling a property - be it the Housing Trust or be it a private individual - that often the valuations for properties are not necessarily what you will get when you sell. Valuations of properties at present and the prices that people are getting in most aspects of the market are low. It is a very good buyer's market, Mr Whitecross. That is for certain. Accordingly, some of the valuations are higher than the prices that people are getting for properties, and that includes ACT Housing.

Mr Whitecross, I do not think it is true to say that ACT Housing is causing prices to go down. That is, unfortunately, just a very sad fact of the moment in the housing market in Canberra. If you have read the *Canberra Times* advertisements for housing every Saturday over the last few years you will have seen that over the last three years prices have decreased for a wide variety of houses right throughout Canberra. No doubt they will pick up again. I think you are well aware, Mr Whitecross, that ACT Housing has an ongoing buying and selling program. We have had an immense amount of debate in the last two weeks about what Housing is doing, what the market is like, how many properties are being sold and how many are being built.

MR WHITECROSS: Mr Speaker, I am sorry to hear how ill-informed the Minister is about how they sell houses.

MR SPEAKER: No preamble.

MR WHITECROSS: Mr Speaker, my supplementary question is this: Can you confirm, Minister, that the marketing of these properties which are being sold at the moment is deliberately designed to create the impression in the minds of prospective buyers that these houses will be sold cheaply?

MR STEFANIAK: Obviously, anyone selling a house, be it the Government or be it a private individual, would like to get the best possible price. That is absolute basic commonsense. Obviously, Mr Whitecross, it is far better for us if we can get the maximum possible price for a property. Unfortunately, the housing market has its ups and downs, and at present, in Canberra, we are in a trough. As you are well aware, Mr Whitecross, or you should be well aware, over many years ACT Housing has bought places and it has sold places. It is an ongoing program. During the debate last week, Mr Whitecross, I think I quoted some figures for the last few years. Actually, we sold fewer houses in the last financial year, as a Government, than your lot did for the two previous years. So there are swings and roundabouts on that.

Hospital Beds

MR KAINE: I have a question for Mrs Carnell as Chief Minister and Minister for Health and Community Care. Chief Minister, I draw your attention to yet another media release issued by Mr Berry back in July in which he described the reduction in obstetrics beds at Canberra Hospital as a “cruel implementation of Chief Minister Carnell’s Thatcherite privatisation ideology”. Mrs Carnell, can you advise the Assembly whether there is any truth to Mr Berry’s claim that the reduction in beds has caused delays in the deliveries of babies, or is this just another one of Mr Berry’s unsubstantiated statements?

MRS CARNELL: I thank you for the question, Mr Kaine. Mr Kaine and Mr Speaker, in 4½ years in this Assembly I have read some pretty amazing media releases, but the release I have here in my hand today really does have to take the cake. There is no doubt about that. I will table it, for the interest of members of the Assembly, because I am sure everybody would like to read this media release. It really has to take the cake. You really have to hand it to Mr Berry. He is the only politician I know who, if I commented that we had had a lot of rain recently and there was a heavy wind out there, would just stand out there in the middle of a downpour and say it was a sunny day. I am absolutely confident that that is the case.

Mr Berry tried to claim recently that 25 obstetrics beds had been closed at Canberra Hospital, and he was wrong. In fact, one of the three 20-bed wards has closed and the other two were increased to 25 beds, making a total of 50 obstetrics beds - 10 fewer than the 60 that were currently open. Why was that, Mr Speaker, and Mr Berry? I might just refresh Mr Berry’s memory here. I want to quote from a statement from the Labor Health Minister, Terry Connolly, in this Assembly on 16 June 1994. This statement was made in the Assembly.

Mr De Domenico: Who?

MRS CARNELL: He was the Labor Health Minister.

Mr De Domenico: They might want to bring him back as leader.

MRS CARNELL: Yes, they probably would not do badly either. He said this:

We have approved in recent months a total of some 55 additional beds in the private sector, which will take significant pressure off the public sector.

Those 55 beds, Mr Speaker, represent a 20 per cent increase in the number of private beds in Canberra, and who opened them, Mr Speaker? Labor. Labor definitely opened them. Why did they open them? To take pressure off the public sector, Mr Speaker. Let me quote a little bit more from the statement of the Labor Health Minister of that time. He said, again in June 1994:

That will significantly free up demands there, and it is likely that some of those beds that are now maternity will be used for other purposes ...

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This was said by the Labor Health Minister. It is very interesting. Yes, Mr Berry, your own Government said that. Let me repeat those statements for the cheap seats opposite there:

... some of those beds that are now maternity will be used for other purposes

...

What has happened to births at the public hospital since the 55 maternity beds were opened at Calvary Hospital and John James Hospital? Two things have happened. First, the number of births shot up dramatically at the two private hospitals. Secondly, the number of births in our public system dropped by a staggering 624, or 15 per cent, in the last 12 months alone. There was a 15 per cent fall in demand, Mr Berry, exactly as your Health Minister of the time predicted when he opened those nasty, evil, private beds - those nasty, horrible things opened by the previous Labor Government.

When these beds were no longer in demand at Canberra Hospital, what did we do? Mr Speaker, we did exactly what Mr Connolly said he was going to do; we redirected resources to where they were most needed. Where was that? An adolescent ward, Mr Speaker. That was something that Mr Berry had been promising for about seven years, I think, and never managed to do. Probably Mr Connolly was planning to open one eventually by doing exactly what we did, but we will not get into that right now. But that did not stop Mr Berry. Mr Speaker, this must surely rank as one of the most stupid comments I have heard in years and I think it is important that members listen to this. Let me read from what Mr Berry said in the press release. Just listen to this:

It has reached the ridiculous situation where women's delivery procedures are being delayed because of this reduction in beds.

Mr Speaker, here we have an MLA and shadow Health Minister claiming that pregnant women are being forced to delay their birthing procedures. Mr Berry, what do we ask them to do? Cross their legs? Mr Speaker, I will also quote this statement by Mr Berry in that press release:

This uncaring minister is acting to force Canberrans into expensive private care where at Calvary and John James Hospitals bills of thousands of dollars are not uncommon for care which should be available at no cost at our public hospitals.

Mr Berry, I did not open the 55 private maternity beds in the hospital. Your Government did. Do you not support choice for women in Canberra? And is Mr Berry calling Mr Connolly an uncaring Health Minister, because it certainly was not we who opened those beds?

Mr Speaker, in recent days we have seen very few policies from those opposite. In fact, it looks like we are not going to see any policies at all from those opposite running up to the election. Maybe Mr Berry should take on board a new health policy, and maybe it will be the only one he has. Possibly it should be, "No mother will have to wait for more than nine months to give birth in Canberra".

MR KAINÉ: I have a supplementary question, Mr Speaker. From the Chief Minister's answer, it appears obvious that it was a Labor government that opened those private maternity beds, but I can remember hearing Mr Berry say only last night in the adjournment debate that he told Mr Gary Humphries not to come into the chamber and tell lies. He said it was Mr Humphries who announced the beds. He was the one who approved the beds. Mr Speaker, it was a Liberal decision. Chief Minister, did Mr Berry deliberately mislead the house last night in the adjournment debate?

MRS CARNELL: Thank you very much, Mr Kaine. I am not sure. Either Mr Berry has a very large problem with the facts or Mr Connolly did at that stage. I also have here a press release from Mr Connolly dated 9 May 1994. Again I will table this, for everyone's edification. This was when Mr Connolly was approving 19 additional private surgical beds after he had already approved the maternity beds. He said in this press release:

The new beds are in addition to the 26 bed obstetric unit I recently approved.

He went on to say:

These extra beds will enable John James Hospital to increase the number of people having elective surgery.

He was talking then about the elective surgery beds. He continued:

As a result, more people in the ACT and the surrounding region of New South Wales will wait less time for surgery. Importantly, too, people will have more choice about where they have their operations.

That is an interesting approach. This is all from Mr Connolly:

This is good news across the entire health system for the ACT and the region. More surgery being performed at John James Hospital should free up theatre time at Woden Valley and Calvary Public Hospitals for elective surgery for public patients.

Back to the point at hand here, Mr Speaker: Mr Connolly definitely said this:

... the 26 bed obstetric unit I recently approved.

Mr Speaker, I am not sure who is telling fibs in this situation, but it is certainly one Labor health spokesman. It might be the previous Health Minister and it might be the current spokesman on health. I will table that, for the interest of members.

School Without Walls

MS McRAE: Mr Speaker, my question is to Mr Stefaniak in his capacity as Minister for Education. Mr Stefaniak, in the review of SWOW this was noted:

There was overwhelming support to retain the present location because of its proximity to Civic. Some students claim that a move to another location will cause hardship because of extra bus fares. The suggestion of relocation was also opposed on the grounds that the loss of independence would undermine the entire concept of self-regulating learning community. Staff and students do not believe that the SWOW mode of operation is compatible with that of a mainstream high school or college. They value their autonomy and see it as an essential component of the alternative school philosophy. A number of students indicated that, in the event of relocation at another school or college, they would probably drop out of school altogether.

Minister, why is SWOW going to be moved to Dickson, when the students and parents interviewed expressed such a strong desire to stay at Braddon?

MR STEFANIAK: Mr Speaker, I think the people opposite really live in a cocoon and just want everything to remain exactly the same. This has come up time and time again during these sittings. The fact is that things do change. Demography changes and numbers of students change. SWOW has changed considerably since its inception. The original idea was in 1973 and its inception was in 1974. That is a fact of life. Canberra has been changing over the years.

Mr Speaker, this Government is not about to do away with an important avenue of education. We are not about to remove programs for students who feel they are better off with an alternative to the regular mainstream high school. This Government does value very highly the opportunity for choices to be made. This applies to parents and students in their choice of schooling, and we will be maintaining a viable and effective alternative education program. What we are going to do, Mr Speaker, is increase this choice in a real and practical way because, as well as establishing an alternative high school program on the north side of Canberra, we are planning for a similar program on the south side. That should improve opportunities for young people, especially those of high school age, especially Years 8 to 10, and for alternative programs.

Arrangements have also been in hand for the formation of a steering committee to oversight the establishment of an alternative high school program to be located on the north side at Dickson College and commencing next year. That committee will also subsequently plan for a similar program to be located on the south side of Canberra. Expressions of interest will be sought from southside secondary schools in incorporating an alternative high school on a suitable campus. That committee will consist of experienced and knowledgeable educators, administrators and people who understand alternative approaches to educating students of high school age. The steering committee

will be chaired by the Director of Schools, Northern District, and its members will include an experienced alternative educator, the principal, the board chair and a teacher from Dickson College. The current SWOW board chair and a present student of SWOW will be invited to be on that committee. In addition, the steering committee will be able to co-opt persons with relevant expertise and understanding to assist them in their task.

We will be establishing an executive teaching position for a specific period to work exclusively on the curriculum and educational arrangements for the alternative high school program. The task of that person will be to develop an educational blueprint for the establishment of the new program. In close cooperation with the steering committee, that planning teacher will develop the framework necessary for the creation of a viable and exciting program which caters for students who are unsuited to mainstream schooling. A number of tasks will be developed - a statement of philosophy, operating principles, a broad statement of intended outcomes, and also a framework for the curriculum, organisation, teaching methods and a student welfare approach as well.

Mr Speaker, it is easy to understand that there will always be a few people who will not be pleased with any changes being made to the present arrangements at SWOW, and there has been speculation on the future of SWOW in the press.

Mr Berry: Like everybody who is there. All of them.

MR STEFANIAK: Not quite, Mr Berry. There has been political lobbying by students and parents apprehensive of change. I am sure there are some students and some parents who will be apprehensive about any change. I believe that the changes will be positive and the new arrangements will provide improved opportunities for a wide range of young people, Ms McRae.

Ms McRae: Why do you not answer my question?

MR STEFANIAK: I think the report which you have referred to, Ms McRae, speaks for itself. I have made copies available to people in the Assembly, including you, and I think the review has produced an informative and useful report. Mr Speaker, I have met with a number of people from SWOW. I have had at least two meetings with various representatives from SWOW. I will be meeting with the chair of the SWOW board next week to discuss issues relevant to the report and to discuss the future.

I think the Department of Education and Training and its teachers, Ms McRae, have a very strong duty of care in relation to all of our students, especially our students under 15 years of age - the compulsory years of schooling. We need to concern ourselves with the provision of effective education for high school students seeking alternative education. It is essential for students to be in a receptive, supporting and harassment-free environment, and we would expect all our schools to be like this. Mr Speaker, the most feasible option is to create a new program at the Dickson College site and a similar one on the south side of Canberra. This will make possible closer collaboration and a broadening of educational opportunities for many of the students who are now attending SWOW.

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MS McRAE: Mr Speaker, Mr Stefaniak did not answer my question, so I will put it in part of my supplementary question. Why is SWOW to be moved to Dickson? Are you not concerned about the fact that most of the students at SWOW said they had left ordinary schools because of harassment?

MR STEFANIAK: Mr Speaker, I am aware of a number of reasons why people go to SWOW. I am also aware of a decline in numbers. I am also aware, as this Government is aware, of the fact that, whichever estimate you take - either the department's or what some of the students have told me - there are only somewhere between 14 and 23 students in Years 11 and 12. Also, Ms McRae, if you have listened to the various talkback shows, if you have looked at the press, if you have had consultations with a number of people, you will have heard very little criticism of people not being included in colleges. It was interesting that one of the SWOW students on the ABC recently, whilst giving a litany of problems she experienced at a high school, indicated that she was going part time to Dickson. Incidentally, a few SWOW students do a few subjects at other colleges.

Ms McRae: We have been hearing lots about Dickson on the radio, too. I would not talk about what we hear in the media.

MR STEFANIAK: Yes, and I do not think they are very impressed. Maybe you would like to hear the other two students from there. Mr Speaker, I think it was conceded that colleges are different from high schools. Students are more mature and it is a very appropriate place for an alternative education program, and certainly a very effective alternative place for what we are proposing, which is to look after those students when they really need it, in the earlier years of high school and, in the case of the current students, Year 8 through to Year 10 attending SWOW now, both on the north side and on the south side.

Acton Peninsula

MS HORODNY: Mr Speaker, my question is directed to the Chief Minister, Mrs Carnell. In the July edition of the Calvary Hospital newsletter there is an article that refers to the ACT Hospice on Acton Peninsula, and it is the one I am holding. It states:

The demolition of other buildings on the Acton Peninsula is expected to take place during the next six months. However, we have been given every assurance that there will be minimal disruption to the hospice and its services.

It seems that the ACT Hospice knows more about what is happening on Acton Peninsula than we do here in the Assembly. Could the Chief Minister advise whether the demolition of the hospital buildings on Acton Peninsula is going to start during the next six months, as stated in the newsletter? What will be the cost of this and who is paying for it? Why is it necessary, given that the Commonwealth Government has not yet decided what it will do with the Acton site?

MRS CARNELL: Thank you very much. I think Calvary obviously knows more about the demolition on Acton than we do as well. The reality is that there are no more plans for the demolition on Acton than this Assembly already knows. Certainly, this Government would love to go ahead with the demolition on Acton, as we would have 12 months ago. The reality is that we are now progressing with the land swap involving Acton and the Kingston foreshore. We are progressing with negotiations with the Commonwealth on that land swap. At this stage, you are quite right; I do not believe that the Commonwealth does have any particular use for the site, but I understand that it is one of the sites that are being looked at from the perspective of the National Museum, and I am confident the Commonwealth is looking at it for a number of other purposes as well.

School Without Walls

MR BERRY: Mr Speaker, my question is directed to the Minister for Education, Mr Stefaniak. I note that the Government loves to demolish things. I note the Minister's steadfast refusal to rule out recommendation 4 of the review of SWOW, which goes like this:

That all teaching staff positions be spilled and the vacancies advertised to ensure that the new direction for SWOW is recognised and staffed.

Would you tell us, Mr Stefaniak, what educational standards were applied to measure SWOW's work? Whom did you consult with? Did this consultative Government consult with some independent educators? Did you consult with the Australian Education Union? Did you consult with the Parents and Citizens Association? Did you consult with the wider community? What part of the consultant's report evaluated their work? How did you come to this conclusion and this resolute refusal to rule out recommendation 4 of the review of SWOW?

Mr Hird: This is the three-minute answer.

MR STEFANIAK: It is more like a three-minute question, Mr Hird. It is interesting, Mr Berry. No, I will not repeat it. I have mentioned some individual consultation I was involved in. I have also spoken to a number of other people, including the union and the department. If you look at the report you will see the consultation process involved in relation to SWOW. The review panel included a teacher who had taught at some stage at SWOW and was experienced in alternative education.

Mr Berry: That is one.

MR STEFANIAK: That is right, Mr Berry. A member of the panel certainly had a lot of experience in relation to alternative education. Members of that panel, Mr Berry, visited SWOW on three occasions, and this is the consultation. They met the three teaching staff members as a group. They attended a group meeting of approximately 16 students. Also, 21 students were interviewed individually, mostly in person but

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some by phone. The panel did not get the opportunity to speak to approximately half of the students who were not present when the panel was visiting the school but spoke to some by phone. Thirteen parents also were interviewed by telephone, and other unsuccessful attempts were made to contact some of the other parents.

Letters were received from six parents in relation to it. Other people interviewed included the board chair, an ex-student, the counsellor and senior guidance officer, an ex-staff member and two ex-students. Members of the SWOW board, the board chair, student representatives and a member of the SWOW community also met with me and the Director of Schools, Northern District. That is a fair amount of consultation, Mr Berry; probably a hell of a lot more than your Government would have done.

MR BERRY: I have a supplementary question. It sounds like some of these people said - - -

MR SPEAKER: No preamble.

MR BERRY: Indeed, Mr Speaker. It sounds like some of these people said "No" and the Government has decided to do exactly the opposite. Is it not the case that you simply wanted SWOW to close and nothing was going to change your mind?

MR STEFANIAK: What a dreadful question! Mr Speaker, I wish Mr Berry would read the report in full. If you had listened to my earlier answer, which might have gone for over your three minutes, Mr Berry - I will concede that - the idea is for SWOW to move. The idea is for the program for high school students to be expanded on the south side. I mentioned a number of figures for Years 11 and 12. Part of the reason for that, Mr Berry, too, which I think is in the review - it certainly has been said in the press - is that the department has a duty to provide all our students with the best possible educational outcomes. Years 11 and 12 students, some of whom already do subjects in other colleges, it is interesting to note, Mr Berry, cannot be completely catered for in a very small unit like SWOW.

Ms McRae: Who says? You. Only you, Mr Stefaniak.

MR STEFANIAK: Ms McRae, I have not cloned myself into three separate people here or into various other people I have spoken to. I might be large, Ms McRae, but I am not the size of about 60 people.

Ms McRae: Most of your report contradicts the recommendation.

Mr Kaine: I take a point of order. Mr Speaker, would you help the Minister out by informing him that he does not have to answer interjections?

Mr Berry: He needs help.

Ms McRae: He needs help, yes. Go on, Mr Kaine; help him.

MR SPEAKER: I will do more than that, Mr Kaine. I will direct the Minister not to answer interjections. Just ignore them, Mr Stefaniak.

MR STEFANIAK: They are rather pathetic. I rather enjoyed answering that one, Mr Speaker, because Ms McRae is just so way off the beam. If she or Mr Berry read that report and if they listened, it is quite obvious, Mr Speaker, that a large number of people have been involved in this. It is not a question of just me; it is a report which was put to me as Minister and the Government. You need to be aware of that fact, Ms McRae. It is not something that I dreamt up or that anyone in the Government dreamt up; it is an objective report. A lot of people have been consulted in relation to it. I have gone through that. You really should read the report a little bit more closely, especially the consultation bit.

Mr Kaine: Mr Berry is really not interested in your answer.

MR STEFANIAK: No, he is not.

Disability Services - Protective Material Purchases

MS TUCKER: My question is for Mrs Carnell as Minister for Health and Community Care. Mrs Carnell, on Wednesday of last week, in answer to my question on payment procedures for the purchase of materials necessary for infection prevention in group houses for people with a disability, you stated:

The provision of such things as gloves, detergent, disposable paper towels, plastic aprons for handling soiled linen and so on is also covered in our policy directions.

I have been through what you claimed was the policy in place before August, which was about 50 pages of mostly draft policies. I have also been through the more current draft policy and the practice instruction manuals. None of these documents explain the process by which the needs for the house are assessed and therefore what purchasing procedures are deemed appropriate. I have here a memo dated 8 August sent to regional managers from the Department of Community Care finance manager reprimanding staff for overuse of disinfectant purchased from the Mitchell central stores. It says:

As has always been the custom, unless the house has high usage needs disinfectant should be purchased as a food item and food money used to pay for this item.

Obviously, there are problems in understanding which houses are high needs and what are appropriate payment procedures. I ask you again: Firstly, which policy were you referring to last week when you stated that the directions were in policy regarding this matter? Secondly, what is the assessment process to determine the level of need of a house, and how is this assessment communicated to staff?

MRS CARNELL: Thank you very much. Obviously, it is communicated very efficiently, because the people involved are getting their disinfectant from central stores, as you rightly said. The policy for the disability program is quite clear on the fact that supplies of such things as protective gloves, detergent, disposable paper towelling for hand washing and so on are provided. The sorts of things that you would need for special purposes outside normal living are provided by central stores. Remember that this is a residential facility, not a hospital.

I think the thing that seems to be misunderstood horribly, certainly by you, Ms Tucker, is that these are people's houses. You seem to believe that it is appropriate for people in their own homes to be putting on gloves and masks and aprons every time somebody cuts a finger or whatever. I do not believe that is appropriate. I think proper techniques, proper approaches to blood, and other sensible approaches, shall we say, to looking after people are appropriate in a residential facility. I do not believe that we should treat people in our residential accommodation for people with disabilities as somehow different from normal people. There should not be a clinical model. There must be a residential model. If we move in any other direction we are moving absolutely at odds with our whole direction with regard to accommodation for people with disabilities. Yes, there does need to be proper technique. You have a full copy of the manuals that are in all of the homes and which tell you about such things as how to handle normal situations that may occur in these sorts of houses. That is an appropriate approach.

I believe that houses for people with disabilities are very efficiently run. I believe that we have staff that are extraordinarily caring. I believe that we have a lot of very happy people in our supported accommodation. Yes, we have one or two problems. You will always expect that. The reality, the bottom line, is that we do have probably one of the best programs. It was run by those opposite as well. I expect that it is one of the best programs in Australia for people with disabilities. They live in a residential environment and are being treated like anybody else in our community; they are not being treated under a clinical model. They are being treated as people who have the same sorts of rights as anybody else.

MS TUCKER: I ask you to answer the question. I have obviously acknowledged the difference between a hospital and a house. I think I might understand it better than you do, Mrs Carnell. My question is this: What is the assessment procedure for the welfare of clients and staff to identify where you need more protection to prevent infection? If you read your own policies you will see that your own department has acknowledged the need for this, but we need a clear understanding of what your assessment process is as to whether or not a house has high needs and can therefore purchase prevention of infection equipment out of central stores and not pay for it out of food money, because the food money is not adequate.

MRS CARNELL: As I said the last time you asked the question, it is done on a house-by-house basis because it is the only way you can do it. People's needs change at different times. Under normal circumstances a particular amount of normal, extra products is available from central stores. If extra equipment is needed for special purposes an assessment is done of that house. The manager of that house asks that an assessment be made. An assessment is made and it is determined whether that house has

special needs or not. There is certainly no ambition by any of the managers of our houses to somehow move stuff that would normally be purchased from central stores into food money, but such things as normal cleaning materials do come out of food money, just as they would in any other residential accommodation.

The fact is that normal things like Ajax and disinfectant, those sorts of things to clean floors, come out of the housekeeping money. Extra things, things that are, I suppose, specific for the needs of the people with disabilities - such things as disposable gloves, aprons, masks and so on - come from central stores. If a house needs more than would normally be the case - of such things as disinfectant - the manager of the house asks Disability Services to do an assessment of that house. The assessment is done. If that assessment indicates special needs, or a client with special needs, then extra stores are made available. It is that simple.

School Without Walls

MS REILLY: My question is to the Minister for Education. In the report on the review of SWOW - I have read the report, Minister - it was noted:

Over time - - -

Mr Stefaniak: What page are you quoting from?

MS REILLY: I did not write down the page. I am afraid I cannot report word by word. I will quote from the report, without a page reference, I admit:

Over time the student profile at SWOW has changed: while there is still a core of self-motivated students, the majority of SWOW enrolments are high school aged students who have a range of social, behavioural and learning needs quite different from earlier SWOW cohorts.

You have mentioned the duty of care in relation to high school students. If it is the needs of high school students that are to be met by the relocation of SWOW, why is this program being moved to a college, and in particular Dickson College, when the students of that college were heard to openly admit on ABC radio the other day that marijuana is being smoked on those school premises?

Mrs Carnell: It would have been more surprising - - -

Mr De Domenico: If it had not been. That is right.

Mr Berry: Mrs Carnell seems to think it is okay. She said it would be more surprising if it had not been smoked.

MR SPEAKER: Order! Mr Stefaniak has the floor, Mr Berry.

MR STEFANIAK: Sadly, Mr Speaker, over the years - really, I think, since about 1969 - marijuana has been smoked in our schools. It is not unlawful any more. It used to be a criminal offence. Unfortunately, that is something that occurs. The department attempts to ensure that we have very relevant drug programs. We have enhanced those this year and, as a result of those matters mentioned on the radio, I have directed the department to take further steps in relation to addressing this because it is against the law. However, Ms Reilly, you would have heard those two students say also that the SWOW students would be welcome there; that the college students would welcome them. They also disputed a number of claims made in relation to the smoking of marijuana.

Why move to a college? As I think a number of people from SWOW said, they were not quite so worried about a college environment because the students were more mature there. Allegations of intimidation, abuse, et cetera, were far less apparent in a college - this is my understanding of what the SWOW students said on the radio - than they would be in a high school. That indicates a need too and strengthens our resolve to improve the program in relation to high school age students. It would be totally inappropriate, Mr Speaker, to have that program in a high school.

Where else are you going to have it? A few suggestions were made to me at a meeting that I went to where some SWOW people were present. They suggested a place at the university or a primary school. I think those could equally be said to be not particularly appropriate. Certainly, at a primary school, we are dealing with a completely different age and cohort of young persons. And a university, of course, is a completely different kettle of fish again. In terms of where this program should be, a college, when you look at it and analyse it, is about the best possible place to run an alternative education program, especially for students who might not fit into the normal high school cohort. That is, in a nutshell, the rationale behind that, Ms Reilly, and I have yet to hear anyone come up with a better suggestion.

MS REILLY: We are still talking about high school students. Why have the special programs at Ginninderra High School and at Calwell High School been allowed to stop - I understand that there were problems with resourcing and I understand that they were considered to have failed - if you were so concerned about high school students?

MR STEFANIAK: Those programs were somewhat different from the programs and the philosophy in terms of SWOW. We do need alternative programs. Those programs were not as successful as the program which we envisage in relation to SWOW, Mr Speaker. We are really talking a bit of chalk and cheese there. We accept that there is a very great need for a proper alternative program for high school students. In recent years especially that is what occurred at SWOW with the changing demography of that place, the change in the nature of the provision of the Years 11 and 12 studies, especially, and the changing needs of the students there. Over the last few years it seems that not quite so many are doing Year 12 certificates and getting TER scores. Indeed, the numbers in that age group have definitely gone down over the last number of years. The majority of students in that program are Years 8 to 10. That indicates a real need for a SWOW type of alternative education program to be developed, and that is something that the Department of Education is doing.

MR SPEAKER: Before I call Mr Osborne, I would like to acknowledge the presence of students and staff from the School Without Walls in the gallery. Welcome to your Assembly.

Firearms - Compensation Scheme

MR OSBORNE: I have to have a drink of water, Mr Speaker. I am in a slight state of shock after that revelation from Ms Reilly that kids are smoking marijuana in our schools. The next thing she will be telling me is that they are having sex before marriage. I am sorry; I will try to calm down, Mr Speaker. I am a bit shaky. My question, Mr Speaker, is to the Attorney-General, Mr Humphries, and is about the compensation scheme for firearms which have been surrendered under the current 12 months' amnesty. Minister, would you please explain to me and to this Assembly the details of just how this scheme is going to work?

Ms Follett: He tabled it last week.

MR HUMPHRIES: Mr Speaker, I tabled last week the details of the compensation amounts, but I do not think I went through the procedure that a person needs to go through if they want to surrender a weapon, so let me do so now. A person who wants to surrender a firearm should go to the Weapons Registry at Civic Police Station. Mr Stefaniak could tell you these things if you asked him, but I will tell you anyway. They are issued with a detailed receipt by police for the type of weapon and its model. If the weapon is on the compensation list, which I tabled in this place last week, they are paid the value of that weapon and sometimes of the accoutrements that go with it, like the telescopic lens.

Mr Moore: Telescopic sight.

MR HUMPHRIES: Telescopic sight. Thank you, Mr Moore. You obviously have some background in this matter. A cheque for the value of those things is paid within a few days. There have been some problems in getting the scheme up and running, mainly resulting from the fact that the Commonwealth was slow to tell us how much the amounts were going to be that were going to attach to particular items. I am pleased that that has now been sorted out and that people who want to hand in a weapon can do so. We hope to be able to pay them very quickly. There is a backlog at the moment which is being worked through. The firearms are being paid for in the order in which they were handed in and, at the moment, I think by about the middle of next week we should be through the backlog. People should get their payment within a few days of having lodged their weapon. As far as the arrangement between the Commonwealth and the ACT is concerned, we make the payments and then we ask the Commonwealth to reimburse us for that and we - touch wood - get money from the Commonwealth in due course.

MR OSBORNE: I have a supplementary question. In order to streamline the system to some extent, would it be possible for those eligible for this compensation to have the option of having the amount directly credited against their rates or land tax accounts? Is that an option that would be considered?

MR HUMPHRIES: I think that is an option. There are a number of ways in which people can be given payments. I assume, of course, that they want payment for a weapon handed in. Members may have heard Mr Bob Musgrove on the radio this morning, a firearms owner who handed in a weapon. On the basis that he had not paid for the weapon when it was given to him some years ago, he did not ask for compensation. I must say that that kind of public spirit is very rare these days in a sort of gimme gimme society. I am very pleased that there was that kind of approach. Most people do want payment for their guns. I think it is quite reasonable to expect to make that kind of alternative arrangement for payment, and I will raise it with the Treasurer to see whether there is some means of actioning it for those who would like to take advantage of it.

School Without Walls

MS FOLLETT: I have a question without notice to the Minister for Education, Mr Stefaniak. I refer also, Mr Stefaniak, to the report of the review of SWOW. Minister, given your apparent blind determination to move SWOW out of their existing premises, is it not the case that you plan to use SWOW's existing premises at the former Ainslie Infants School - a lovely building close to town - to house education bureaucrats from the O'Connell Centre at Griffith? Is it not the case, Minister, that this move has far more to do with real estate and with office accommodation than it does with providing quality educational alternatives for Canberra's students?

MR STEFANIAK: In relation to the second part of your question about quality education and real estate, no. In relation to what is going to be done with the building, no final decision has been made in relation to that, and I would not expect one to be made for some time.

MS FOLLETT: As a supplementary question, Mr Speaker, I ask Mr Stefaniak where he plans to house the southside campus of SWOW.

MR STEFANIAK: There is one further point which Ms Follett may not be aware of, although I hope she is. The building currently occupied by SWOW, the old Ainslie building and the primary school there are heritage buildings. I think that point needs to be made. As I indicated earlier in answer to one of the other questions from the Labor Party, Mr Speaker, the question of where the southside SWOW is going will be considered. The most appropriate place for that particular building is being considered now.

Disability Services - Support Packages

MR MOORE: My question is directed to Mrs Carnell as Minister for Health and Community Care. I gave you some notice of the background of a constituent who was on a disability package. Now that you have moved to a purchaser-provider model, will you guarantee to index such packages for disability to the CPI?

MRS CARNELL: Mr Moore will be aware that funds are allocated from the disability services grants, the DSGs, the home and community care grants, that is the HACC budget, and the Department of Health and Community Care budget. All of those areas can be used to make up individual support packages. Each year the Commonwealth notifies the States and Territories of additional funding that is provided for disability services grants under the Commonwealth-State Disability Agreement. Additional funding for HACC programs is also notified to the State or Territory on a yearly basis, as members would be aware. This funding is on a cost-shared basis with the States and Territories and is provided to the States, so we get the money if we are willing to match funds with the Commonwealth.

The Department of Health and Community Care has received a verbal indication from the Commonwealth that they will offer funds for the Commonwealth-State Disability Agreement and HACC funding. They will offer additional funding for both the CSDA and HACC for 1996-97. Funds will then be on-passed to the programs following consideration and acceptance of Commonwealth funds. Following notification of additional funding being available in the 1995-96 budget, individual agreements were increased. The hourly rate was increased from \$22 to \$22.35 last year.

With regard to this year, Mr Moore, we have given an undertaking that we will match the Commonwealth increase in funding, and the amount that it is increased by will then be passed on to the clients involved. So, if the Commonwealth offers 2 per cent, we will match that with 2 per cent as well. That is the way that the Commonwealth-State Disability Agreement works and that is what will happen. At times that may not be the CPI; at other times it may be. It really does depend on what happens with the Commonwealth-State Disability Agreement.

MR MOORE: I have a supplementary question, Mr Speaker. Chief Minister, in the background I gave to you when I gave you some notice I indicated that we are talking about an autistic woman. She will need part disability services care for some years. I indicated to you that her history included sexual abuse by a staff member from Community Care in the last 18 months. I indicated to you that she now has an opportunity for a place in a Steiner school in Carlingford in Sydney, but the only condition on which they will accept her is if that is indexed. Will you take appropriate action to ensure that this woman, who has been sexually abused by a staff member in your department, has a reasonable chance to have a fair start in life?

MRS CARNELL: The person involved is a long-term client, as Mr Moore will be aware. As members also will be aware, of course, individual support packages are available via the ACT Government and Commonwealth Government together. In this particular case, though, this package is paid for by the ACT Government alone. The reason for that is that this client is on 47 hours a week care. That is outside the normal parameters for ISPs. The client currently has an annual allowance of \$54,623, I understand, and that will increase in line with the increase in the hourly rate this year. The amount that the Commonwealth offers is the same for every State, so I assume that the sort of increase that we will be able to offer out of the ACT will be the same as that which would be able to be offered by New South Wales as well. Fairly obviously, we are not in a position to offer one client a different hourly rate than other clients in our disability service.

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Mr Moore will also be aware, as other members will be, that some clients from New South Wales access our services, and some of our clients access services in other places. The fact that this client may end up taking a package or taking some support in New South Wales will in no way undermine the fact that we will continue to pay her 47 hours a week at whatever is the current rate that is offered to all other people who could get disability support from the ACT Government and Commonwealth Government together.

The other thing that it is important to remember is that the Government did provide an extra \$450,000 last year on individual support packages for people with disabilities. I think that is a pretty fair effort. That made us the first government to commit funds to the non-government sector to enhance the range of community-based disability services after the signing of the Commonwealth-State Disability Agreement in 1991. I think that was a very sensible thing to do. Obviously, it was because this particular person looks like accessing those non-government services.

High-Speed Train

MR WOOD: Mr Speaker, my question is to the Minister for Business, Employment and Tourism, Mr De Domenico, and it relates to the evaluation of a high-speed train connection to Sydney. I am sure that the Minister has been briefed on the claim by the New South Wales Minister for Transport, Mr Langton, who blames both the ACT and Federal governments for delays in the evaluation. Is Mr Langton correct?

MR DE DOMENICO: I thank Mr Wood for his question.

Mr Berry: Do you want a hand with another question, Harold?

MR DE DOMENICO: No, he will be right. Why is it, Mr Speaker, that we predicted that someone over there would ask that question? It is just amazing. The short answer to Mr Wood's question is no, but I have another two minutes and 58 seconds, according to Mr Berry. Members would be aware that a study is currently being undertaken into the high-speed rail link between Canberra and Sydney. Members might also be aware that the report is being progressed by way of a secretariat made up of representatives of the ACT Government, the Federal Government and the New South Wales Government. That report, which is to be the subject of a meeting between the Prime Minister, the Chief Minister and the New South Wales Premier, is now well and truly overdue. Whilst the reasons for the delay in bringing forward the report are perhaps less important than progressing the project itself - - -

Mr Whitecross: They are not important now.

MR DE DOMENICO: It is his question. If you want me to answer it, I will. Sit down and listen. Mr Langton raised some issues, I am advised, that I feel need to be responded to. This morning Mr Langton said, in no uncertain terms, that the ACT Government was responsible for the delay in the fast train project. I make it quite

clear to members that this is not the case. This Government has shown, and will continue to show, an unwavering level of support for the fast train to Sydney and for such a train to be built as a matter of priority. I need to remind Mr Langton that it was the Federal Labor Government, the ACT Labor Government and then the ACT Liberal Government that put their money up front and said, "Let us go ahead with the study". It was the former New South Wales Liberal Government and now the New South Wales Labor Government, both interested - - -

Mr Berry: I thought you did not listen to the ABC.

MR DE DOMENICO: I do not.

Mr Berry: He was on there this morning. You seem to know a bit about what he said.

MR DE DOMENICO: You might have listened. No, I am well briefed, Mr Berry. The New South Wales Government, under both the Liberals and Labor, has this incredible passion for this thing called the Tilt-train, which is yesterday's technology. That needs to be noted. We have gone to great lengths to point out that, combined with an international airport within the region, Mr Wood, and the airfreight hub in Canberra, a fast train service to Sydney, and perhaps eventually to Melbourne, because the Victorian Government is very interested, will have significant benefits not just for the ACT but for the region and the nation. I have noted with some interest the remarks by the Commonwealth Minister for Transport, John Sharp, that the Canberra Airport could be upgraded to international standard at minimal cost and that such an initiative would be complementary to a fast train link to Sydney. So in this context the ACT is very keen to have the fast train proposal progressed quickly. We would love to have it running by the Olympics, of course, and we said that from the very start.

Apparently, Mr Langton has raised various issues on radio this morning in an attempt to cover up the fact that the New South Wales Government managed the technical study. It was the New South Wales Government alone that managed the technical study. Expected to take three months, it has now taken five months. That is one fact. It was agreed that the study would look at three Tilt-train options - the option, I understand, preferred by New South Wales. It has looked at over a dozen options, including seven Tilt-train alternatives. We continually got this thing from New South Wales about wanting to build Tilt-trains, even though they have been told that it is old technology, archaic technology, superseded by both the French train system and the German system that is coming into line as well. Mr Speaker, we wrote to the New South Wales Government in May of this year asking for an early completion of the study. In June New South Wales attempted to include another Tilt-train alternative in the study. I understand that this has been a significant element in delaying the report.

I was pleased to hear the New South Wales Transport Minister, Mr Langton, saying publicly that the New South Wales State Rail Authority has no impact on the New South Wales Government's consideration of this issue. There certainly have been some concerns expressed by a number of parties that much of the delay in this project was the result of State Rail attempting to protect their monopoly, and in particular the one route they own which comes close to making a profit, which happens to be the one between Canberra and Sydney.

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Mr Speaker, as I said before, the reasons for the delay in the tri-government study into the fast train project are to a large extent irrelevant. I will say it again; the reasons for the delay are to a large extent irrelevant. They are also an unfortunate diversion from the fact that there has been extensive cooperation between the three governments, at both officer level and ministerial level. I have spoken to Brian Langton on this matter on a number of occasions, just as we have spoken to John Sharp. Several large studies have already been completed. I have been informed that the summary report is now being drafted and is expected to be with the Commonwealth and the three governments this month. At that time the Chief Minister will meet with the Prime Minister and the New South Wales Premier with a view to progressing the fast train initiative as a matter of priority.

MR WOOD: I have a supplementary question, Mr Speaker. I think we have a bipartisan view on this matter, and I am concerned that there is a suggestion that there is a continuing row about Tilt-train versus VFT. Minister, you said the short answer is no, and you have obviously caught up, as I have, with the material coming from Mr Langton's office. I will quote a few points to you and ask for your response. Mr Langton made the following claims:

June 19: ACT officials have failed to complete the development of sensitivity tests ...

July 31: ACT officials seek changes to the base cases, promising that this revision will not delay the completion of the study.

August 6: ACT rejects previously accepted base cases ...

I am sure you have this data in front of you, Minister -

August 13: Government/Legal Issues Study managed by ACT/DIST officials was still incomplete, awaiting contributions by the ACT Government.

August 16: Two days after the Economic Analysis Study incorporating the changed base cases is completed, ACT officials present a new scenario for inclusion in the financial analysis.

August 19: ACT official responsible for managing the financial analysis goes on unannounced leave.

September 2: After receiving unfavourable results for its scenario, ACT officials indicate their intention to again alter the scenario inputs.

Mr Speaker, we want the same result. Are there measures we can take? Is there something that can be done to get beyond this difficulty? Are we doing everything? You have seen that documentation. Will you comment on that?

MR DE DOMENICO: Thank you, Mr Wood, for the question. It is about time that we had a sensible question from one of the members opposite about what ought to be a very bipartisan issue.

Ms McRae: Give us a sensible answer. Go on.

MR DE DOMENICO: Just sit down and listen. Just control yourself. Sit down and listen.

Ms McRae: Give me a good answer and I will.

MR DE DOMENICO: You did not ask the question. If you wanted a good answer you should have asked the question.

MR SPEAKER: Ignore the interjections.

MR DE DOMENICO: Thank you, Mr Speaker; I shall ignore the stupid interjections. Mr Wood, if you can do anything for this project you should ring Mr Langton and say, "Could you please agree, like everybody else agrees, both in the technical area and in the political area, that 17 different versions of the Tilt-train is not the way to go for a fast train link between Canberra and Sydney?". A great example, Mr Wood, is that the technical report has taken New South Wales close to six months to try to come to grips with. It has taken only six weeks to do the financial study. Can we see now who has caused the delay?

All these petty little things that Mr Langton has put out in his press release are a diversion from the real issue at hand. The big delay has been in the technical study. The delay in the technical study has been the big delay because of New South Wales's firm commitment to Tilt-train technology, which is outdated and outmoded. They ought to be looking at the main game, which is the best possible technology available, in the quickest possible time, to make sure that this region really benefits from a very fast train link between Sydney and Canberra.

Paralympics - Welcome Home Parade

MR HIRD: They are very predictable people. That was a very good question, Mr Wood. Mr Speaker, my question is to the Minister for Sport, Mr Stefaniak. Mr Stefaniak, last week's welcome home parade for our Olympic Games athletes was an outstanding success, with around 20,000 people attending and showing their appreciation. I understand that a parade is being organised for our Paralympic heroes, whose performance in Atlanta was simply excellent, amazing and superb. Will the Paralympic athletes receive the same type of reception? In other words, will ACT schoolchildren be allowed to participate and welcome home these athletes?

Ms McRae: Wow; what a knockout question! Can I read his press release?

Mr Berry: Have you restored the funding yet?

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MR STEFANIAK: After supposedly caring so much for schools, I am amazed at the derision with which some members of the Opposition are treating Mr Hird's very sensible question about something which obviously will give a lot of joy to a lot of kids, just as the Olympic welcome home parade did. Mr Whitecross obviously does not read the media, because media reports say that 20,000 people turned out to welcome our Olympians. Mr Hird, I am delighted to say that once again ACT schoolchildren will be part of welcome home celebrations, this time for our outstanding ACT contingent of the Australian Paralympic team. There is no doubt that last Monday week's welcome home parade for the Olympic athletes was made even more special because of the turnout of over 4,000 schoolchildren. I am happy to say that the Paralympic officials in the ACT are keen to get another large turnout of schoolchildren when the city welcomes home our ACT Paralympic athletes next Thursday, 12 September.

Counting people at the AIS, Mr Speaker, we had 13 representatives in the Australian Paralympic team, and that is approximately 8 per cent. Between them they brought home 25 per cent of the gold medals. That is a truly outstanding performance. Paralympic officials have raised funds and they are going to get 20 ACTION buses at a reduced cost. With the assistance of the ACT Department of Education and Training, they will provide those buses for children from our schools to go and welcome home these splendid athletes. In contrast to the Olympic parade, when students were on the roadside, the schoolchildren will be part of the celebrations in Glebe Park. There they will be given the opportunity to meet with and congratulate their Paralympic heroes. We will also endeavour to get as many as possible of Canberra's children in special education classes and schools to be part of the celebrations. There is no doubt that our Paralympic heroes are a source of inspiration to students who attend special classes or schools and it is fitting that they play a major part in the official welcome home of our Paralympic athletes.

Mr Speaker, a large number of gold medals were won and I would like to put this on the record. Damien Burroughs won a gold medal in track and field. Gemma Dashwood won three gold medals and two silver medals in swimming. David Evans, in track and field, won two gold medals and one silver medal. John Eden, in track and field, won a bronze medal. Lisa Llorens, in track and field, won a gold and a bronze. Hamish McDonald, in track and field, won a gold. James Normahas, in pistol shooting, won a silver medal. Sharon Rackham, in track and field, won a gold. Judith Young, in swimming, won three silver medals and one bronze medal. What a fantastic effort by these athletes, Mr Speaker!

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

Ms Follett: I have a question, Mr Speaker.

MR SPEAKER: You have asked a question, Ms Follett. The Chief Minister has asked that further questions be placed on the notice paper.

PERSONAL EXPLANATION

MR BERRY: I seek leave to make a personal explanation.

MR SPEAKER: Under standing order 46?

MR BERRY: Mr Speaker, I refer you as well to standing order 55, the principles of which you referred to in your earlier remarks about personal explanations. During question time, in response to a question from Mr Kaine, Mrs Carnell took the opportunity to misquote a press release of mine. Mr Speaker, I would like to read from that press release. The press release goes as follows:

Deputy Labor Leader and Labor Health spokesperson Wayne Berry has described the reduction in obstetric beds at Woden Valley Hospital/Canberra Hospital as cruel implementation of Chief Minister Carnell's Thatcherite privatisation ideology.

Mr Humphries: I rise on a point of order, Mr Speaker. It would seem to me an abuse of standing order 46 for a member to rise and, where some member has attacked an element - for example, as Mrs Carnell has done - of a statement in a press release issued by another member, for that member to read the entire release into the record under the guise of a personal explanation. If there is some element of what Mrs Carnell has quoted that is inaccurate, he could quote that bit; but to read the entire release is, effectively, an abuse of standing order 46. It is simply giving him an opportunity to read into the record a press release he issued at some point.

MR SPEAKER: I have a problem, Mr Humphries, with what you say. It would normally be more convenient under standing order 47 for Mr Berry to speak, except that he was not the person who made the statement. As you know, standing order 47 states:

A Member who has spoken to a question may again be heard to explain where some material part of that Member's speech has been misquoted or misunderstood ...

Clearly, Mr Berry did not make the statement to which he is referring, and therefore he cannot use standing order 47. At the same time, he is still within the "personal nature" of standing order 46.

Mr Kaine: On a point of order, Mr Speaker: I have to agree with Mr Humphries. If Mr Berry believes that what the Chief Minister read from that statement was incorrectly read, then he can dispute it; but he cannot then attempt to take it beyond what she said and try to read some other imputation from words that she did not use. I submit that Mr Humphries is correct, and I ask you to reconsider. If Mr Berry is trying to say that the Chief Minister misquoted certain words, that is okay; but, if she did not misquote them, then she cannot be said to have misrepresented him.

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Mr Whitecross: Mr Speaker, further to the point of order: It is not for Mr Kaine to say what is the nature of Mr Berry's personal explanation. That is for Mr Berry. If members of the Government insist on using question time to quote selectively from people's press releases to launch personal attacks on people, they have to expect personal explanations at the end of question time, and they should sit back and listen to the personal explanation, instead of trying to interrupt it all the time.

MR SPEAKER: Except that, as I said at the beginning of question time, members may make a personal explanation where they have discovered that they may have inadvertently misled the Assembly or have been accused of improper practices or conduct either inside or outside the Assembly, or where a member's word has been doubted or impugned. Reading a complete media release into the *Hansard* is not a personal explanation.

MR BERRY: Mr Speaker, I have referred to one paragraph.

MR SPEAKER: You have, indeed, referred to one paragraph, and I am expecting you now to explain where the personal explanation comes in.

MR BERRY: Yes, Mr Speaker. I have the alternative, to try to seek leave from the Assembly; and, when the Liberals opposite deny me that, I can go into the process of trying to suspend standing orders. It would be far easier for me to just deal with this.

MR SPEAKER: I appreciate that it would be far easier for you to use standing order 46, but I am simply alerting you to the fact - - -

MR BERRY: Mr Speaker, Mr Kaine tried to suggest that in some way I had suggested that Mrs Carnell was trying to stop babies from being born, and Mrs Carnell took that one step further by suggesting that I had suggested that she ask women to cross their legs. What a stupid remark to come from a Health Minister! The paragraph in the press release which refers to this reads:

It has reached the ridiculous situation where women's delivery procedures are being delayed because of this reduction in beds.

Mr Speaker, that arose from a complaint in my office from a woman who was to have her baby induced and was not able to be admitted to the hospital because that ward had been closed down. So, Mr Speaker, for Mrs Carnell to make those outrageous suggestions - - -

Mr Humphries: On a point of order, Mr Speaker: Mr Berry alleged, when he rose to make his personal explanation, that the fault that Mrs Carnell had committed was misquoting his press release.

MR BERRY: No. I want to make a personal explanation.

Mr Humphries: I know that you do; but you said, when you rose to make a personal explanation, that you wanted to make the explanation because - - -

MR BERRY: Do not rewrite history.

Mr Humphries: Read the *Hansard*. Mr Speaker, it was because Mrs Carnell had misquoted him in a release. He has just read back the phrase that Mrs Carnell had attempted to quote and, lo and behold, Mrs Carnell had quoted the words exactly. Where is the misrepresentation?

MR BERRY: Mr Speaker, I made it clear that this is a misrepresentation of the fact. The fact is that, from the lambasting that was handed out by the Liberals during question time, the house would have been misled. I am trying to put the record straight.

MR SPEAKER: You were backgrounding your personal explanation - or, rather, you were backgrounding that comment - with what happened with a constituent. Is that correct, Mr Berry?

MR BERRY: Indeed. Mr Speaker, the record has to be put right in these circumstances, because if Mrs Carnell wants to use question time to issue a barrage - - -

MR SPEAKER: We are getting away from the personal explanation here.

MR BERRY: I am talking about the point of order.

MR SPEAKER: You were explaining - - -

MR BERRY: No; I am talking to the point of order, Mr Speaker. I think I am entitled to put the record straight. Mr Speaker, this was a press release, pointing out to the people of the ACT that a ward in the hospital had been closed secretly for 15 weeks and that a woman had been prevented from having delivery procedures by that ward being closed. Thank you, Mr Speaker.

Mr De Domenico: Mr Speaker, on a point of order: If Mr Berry wants to debate the issue, he should do so; but he is way out of bounds in saying that he has been misrepresented. He should not waste everybody else's time, but should just own up to his mistakes.

MR SPEAKER: We are not debating the issue now.

Mr Whitecross: Mr Speaker, on Mr De Domenico's point of order: They like dishing it out; but they do not like getting it back when it turns out that, while they are accusing Mr Berry of misrepresenting things, he catches them misrepresenting things. The point of the personal explanation, Mr Speaker, is to demonstrate that they misrepresented things. What Mr Berry has done is demonstrate that Mrs Carnell misrepresented what Mr Berry said. Mr Berry is perfectly entitled to do it, and Mr De Domenico should not waste people's time with silly points of order.

MR SPEAKER: I will simply remind members of the statement that I made at the beginning - - -

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MR BERRY: I have concluded my contribution, Mr Speaker.

MR SPEAKER: Yes, I understand that you have, Mr Berry. I simply remind members of what I said at the beginning of this question time and the concluding point. I will sit the member down or withdraw the leave granted by the Chair to make a personal explanation if I believe that it is getting beyond the bounds of a personal explanation.

MR BERRY: I accept that.

QUESTIONS WITHOUT NOTICE

Greenhouse Strategy

MR HUMPHRIES: Mr Speaker, on 20 June, in a question about greenhouse gas emissions, Ms Horodny asked me how close the ACT is to meeting the target contained in the ACT greenhouse strategy. I partly answered that question, but I also took part of it on notice. As I stated in my response on that day, there are no explicit targets set in the ACT greenhouse strategy. As a participant in the national greenhouse response strategy, ratified by all Australian governments in December 1992, the ACT is committed to an action plan intended to meet the agreed national planning targets established in light of Australia's decision to sign the United Nations Framework Convention on Climate Change. These changes aim to stabilise greenhouse gas emissions, based on 1988 levels, by the year 2000 and to reduce them by 20 per cent by the year 2005, subject to Australia not unilaterally implementing measures that would give an adverse economic impact or reduce trade competitiveness. The national greenhouse response strategy is currently being reviewed by an intergovernmental working group on which the ACT is represented. I understand that national planning targets are also subject to review in the light of the release of the national greenhouse gas inventory and other developments.

WEEDS STRATEGY

Papers

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (3.54): Mr Speaker, for the information of members, I present the following papers:

ACT weeds strategy -

A 10-year strategy for implementing a coordinated program for controlling weeds in the ACT.

Priority weed control program for spring-summer 1996.

I move:

That the Assembly takes note of the papers.

Mr Speaker, I am pleased to take the opportunity to inform members of the release of the ACT weeds strategy, which is a 10-year strategy for implementing a coordinated program for controlling weeds in the ACT. Weeds are estimated to cost Australian primary producers more than \$3 billion a year in control costs and yield losses. For the ACT, an estimate of the loss of production directly attributable to our worst agricultural weed - serrated tussock - is put at more than \$500,000. There are no figures to account for the cost of environmental weeds which degrade natural systems, reduce amenity of the urban environment, increase fire hazards, shelter pest animals and provide hosts for plant disease. The cost is likely to be as high as for primary production.

Weeds have the potential to lay waste otherwise productive land; choke out and threaten the continued existence of native flora; replace pasture; and affect the health and productivity of livestock. Weeds come to us by a variety of human activities. Some arrive by accident as unwilling passengers on imports; others arrive as a result of deliberate actions or thoughtlessness. Also, in a less enlightened era, we planted to remind us of home or more exotic climes. The prickly pear and the scotch thistle fall into these categories.

The purpose of the ACT weeds strategy is to achieve more effective weed control than in the past, by determining priority actions and by concentrating resources on those priority actions in a strategic manner. Current weed control in the ACT results in a diffuse and often sporadic effort, which sometimes fails to recognise the impact of the program on neighbouring land. Just as neighbouring land managers need to act in concert to deal with common weed issues, ACT land managers need to liaise with authorities in surrounding New South Wales to ensure that specific weed problems are tackled cooperatively. The strategy calls for this coordinated approach to be taken.

Development of an ACT weeds strategy was commenced in 1995, in recognition of the need for a new, integrated approach to weed control. A draft ACT weeds strategy was widely distributed for comment earlier this year. The preparation of the draft was overseen by a group which included representatives of agencies with land management responsibilities, the ACT Rural Lessees Association and the Conservation Council of the South-East Region and Canberra. Prior to finalising the strategy, a public forum was held, attended by some 50 representatives of community and interest groups, including shires and councils from New South Wales, as well as by individuals with an interest in the area.

The resultant ACT weeds strategy provides a mechanism for government and community to work in partnership within available resources and priorities. When all stakeholders focus their efforts and resources on a particular weed problem in a particular area, there is an excellent chance that the problem will be brought under control. This Government is committed to the continued involvement of the community in weed eradication, through such bodies as Parkcare and Landcare. We see that they have a vital role to play in the success of the weeds strategy. The people of the ACT owe a debt of gratitude to those volunteers who work for the benefit of the whole community.

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A key element of the strategy is determining priority weed species and areas. This is done through the Landcare subcommittee of the Government's Environment Advisory Committee, who will bring together views on which weeds in which locations warrant priority for control and will recommend action during the next weed control season. Core membership of the Landcare subcommittee may be expanded for those deliberations, to ensure that the full spectrum of agency and community views on weed control priorities is considered.

In order to be ready for the current weed control season, I asked the Landcare subcommittee to consider priority weeds for immediate attention. The committee met last week and established the following program: Serrated tussock in the Ginninderra Creek and Paddys River catchments; African lovegrass along the Murrumbidgee River corridor; St John's wort on road verges in Pialligo Avenue and Sutton Road in conjunction with Yarrowlunla Shire and Queanbeyan City Council; and woody weeds such as cotoneaster and hawthorn in Canberra Nature Park and other public land.

As well, Mr Speaker, the committee recommended that a program to raise community awareness be undertaken to enhance identification of two grasses emerging as weed threats in the ACT. These are Chilean needlegrass and spiny burr grass. This process has already begun, with information on Chilean needlegrass being published in this week's *ACT Public Sector News* - a publication which goes to every person on the ACT's payroll. Members will notice it with their pay slips that have been received this week. Under the heading, "Weeds of the ACT", information about Chilean needlegrass is provided. The committee also believes that it will be useful to target retail plant outlets to point out that certain willow species are environmentally damaging and to request that nurseries and others sell acceptable alternative species.

Routine weed control programs will, of course, continue on land managed by individuals and government agencies. Control cannot be achieved in the short term. This strategy is intended to guide weed control over a 10-year period. The work that has gone into the development of the ACT weeds strategy now requires the commitment and cooperation of government and community to implement the programs that will result in weed control in the ACT. The development of the strategy has come about through cooperation between government and the community, and I thank all those who have given their time and expertise to draw up the strategy and compile the priority list. This Government's vision is to see weeds in the ACT controlled. This vision will be achieved by government and community continuing to work as partners, in a strategic way, to effectively and efficiently implement the measures contained in the ACT weeds strategy. Mr Speaker, I commend the strategy to the house.

Debate (on motion by **Ms Horodny**) adjourned.

OLYMPIANS AND PARALYMPIANS

MR HIRD (4.01): Mr Speaker, I move:

That this Assembly congratulates the team of Australians, especially the representatives from the ACT, who competed so successfully at the recent Olympics and Paralympics held in Atlanta, and recognises the hard work and dedication that their success reflects.

Mr Speaker, as I indicated today in a question to the Minister for Sport, I understand that a welcome home parade is to be held to congratulate the Paralympians, who participated in the games in Atlanta earlier this year. The success of our Paralympians comes hot on the heels of the achievements of those Olympic athletes who were welcomed home by Canberrans last week. Twenty thousand Canberrans turned out to show their appreciation.

Canberra Paralympians have come home with 19 medals. Of the 11 Canberra representatives who went to Atlanta, nine won medals, and those who did not win turned in personal best performances, often in trying conditions. I should particularly mention Damien Burroughs of Macquarie, in my electorate, who, at only 17 years of age, set a world record in winning a gold medal in discus throwing. Gemma Dashwood of Weston recorded a remarkable achievement. She won three gold medals and two silver medals in swimming, to be one of Australia's most outstanding competitors. Canberrans should be extremely proud of these courageous athletes, who have made major contributions to the Australian team which, remarkably, finished second to the huge American team in the medal count. To win 42 gold medals in a tally of 106 medals was a remarkable achievement. This parliament should commend the entire team, and particularly the Canberra contingent, who won 19 medals.

While we have all been swept up in the emotion surrounding the courage and tenacity of our Paralympians, let us not forget that there were 22 Canberrans in the most successful Australian team ever to represent this country at an Olympic Games. I know that Canberrans generally had an opportunity to show their appreciation at last week's welcome home ceremony; but this is the first chance that we, as the representatives of the ACT, have had to acknowledge the achievements of these outstanding local athletes. Three of those Canberrans helped to make Olympic history by being members of teams which won medals for the first time. Sally McDermid and Joanne Brown were in the softball team which won bronze, and Fiona Robinson was a member of the women's basketball team which also won bronze for the first time. The most remarkable achievement, of course, was the effort of the Powell sisters - Lisa and Katrina - from Page, also in my electorate, in winning gold medals as members of the women's hockey team. This achievement by sisters must be some sort of a world record.

In terms of percentages, as was indicated by the Minister earlier, we sent from the ACT 8 per cent of the Australian team but won 25 per cent of the gold medals. This was certainly a great effort and by far the best result from any representatives from this area participating in the Olympic Games. To all Canberra members of this great team of young Australians we say, "Well done. Congratulations. Let us hope that you will be back to strive towards the Olympic Games in Sydney in the year 2000".

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MS McRAE (4.05): Mr Speaker, I am more than happy to support the community's support for the parade and for our doing everything possible to honour our sportspeople, particularly the outstanding Paralympians that Mr Hird has mentioned. May I at the same time, though, refer to an article in the *Chronicle*, which stated:

The achievements of the ... ACT paralympians who recently returned from Atlanta will be celebrated on September 12 from 12-1.30 pm with a ... parade ... Details of the parade will be available in the *Chronicle* ...

That is good. Then it stated:

The ACT Council for the Australian Paralympic Federation is seeking donations of \$25 -

listen to this, Mr Hird -

to cover the costs of transporting school children to the parade by bus.

Mr Hird and members, tell me what sort of a parade this is. This is taking user pays to the most ridiculous length I have ever heard of. The Paralympians have to pay for their own parade. This is how we honour them. This is how we celebrate their achievements. We say, "Go away and raise some money, and then you can have a few children on the buses". What a contemptible process! I would very much like the Government to say, here and now, that if the Paralympians raise any money they can keep that money for their sport and that this Government will now do the same as it did for the children that came to the Olympians' parade. For the Olympic welcome home parade last week, 4,000 schoolchildren were bussed into Civic on 60 ACTION buses, at a cost of between \$10 and \$18 a bus instead of the usual \$120. The Olympic welcome home parade was, therefore, heavily subsidised by ACTION, and Mrs Carnell thanked ACTION in the Assembly. She said, "ACTION provided transport for 4,000 children to and from the parade, at an extremely reasonable cost to government". Why, may I ask, is not the same courtesy being offered to our Paralympians? What a slight on their achievements! Here they are - outstanding medallists. What do we have? We have 10 gold, six silver and four bronze, and they have to go out with the begging bowl and say, "Give me your donation so that we can put children on the bus to welcome us home". What a nonsense!

Mr Hird, you really should have done a bit more homework before you put this motion on the table. You should have found out what was happening. I hope that you will do a bit more now, because this is an outrage. If the Paralympic Federation is able to raise money, then the Paralympic Federation should be able to use that money for what it is there for - helping our Paralympians. Our Paralympians have had to work very hard to get there, as has every elite sportsperson. They have depended, as has every elite sportsman across Australia, on a multitude of supporters. I am sure that they will be overwhelmed with support by this cry for donations, because the community is right behind them.

We know that, for every sportsperson in the ACT who has got to an international meet, there has been a lifetime of backup from parents, family, the community and governments that have provided the facilities. The support has usually been unstintingly given - and usually with no monetary costs attached - by the parents, the community, the coaches, the sporting groups and the government that has put in the facilities.

They have gone overseas with, no doubt, a very large level of financial support from and sacrifice by their own families, as we saw at the reception when we farewelled them. The families were trying to get over there to support them and see them perform. But here they are put in this incredible position where, to go to their own parade and for this Government to guarantee a crowd, the ACT Council for the Australian Paralympic Federation has to ask for money. I find that an absolutely sad indictment, and it was added to by another insult which we saw played out in the newspapers last week. Not only will the Government not come good with subsidies for our 4,000 schoolchildren again; but, as we saw last week played out in the press, \$9,000 was all that the disabled swimmers needed to keep on with their program. They were told at the end of the program, "Oh, no, you were never entitled to that money. It was a pilot program". How stingy can you get? ACT Swimming now has to carry \$9,000 worth of extra expenses to ensure that young disabled swimmers can get onto their program.

These two events show the true colour of this Government. It is not willing to put its money where its mouth is. Of course we all support these swimmers. Of course we all support these athletes. Of course we all support the families and the communities that are behind these sportspersons. There is nothing nicer than basking in the reflected glory of the people with disabilities and the extraordinary athletes that we actually saw going to the Olympic Games, especially when we know that they come from our own electorate. Nothing gives you a bigger thrill than being able to say, "They lived in Higgins" or "They lived in Page" or "We knew their family". But a couple of nasty details have slipped through. On the one hand, we were all cheered, buoyed and carried away by the sheer bravery of a lot of these people and the tenacity, the skill and the level of support that has gone into their achievements so that all of us can collectively bask in that. But who on earth sat there in the back room counting the miserable pennies, saying, "No, we cannot give \$9,000 to the disabled swimmers" and, worse than that, "How dare Noel Baxendell complain!", just because he was once a member of the Labor Party?

May I, here and now, call for something that perhaps the *Canberra Times* could do. Why not simply ask every correspondent to the *Canberra Times* to state their name, their birth date, their address, their party affiliation and every club they have ever belonged to. Then Mrs Carnell would not have to ring someone at home to see which club he belonged to because she happens to dislike what he said in the paper. There was a rejoinder to that letter. The fact of the matter is that a subsidy - \$9,000 - that was once provided for disabled swimmers to continue to be able to get onto a program was taken away. That support is now being carried by a swimming club which itself depends on volunteers and on funds being donated and raised. This is the detail that has slipped through. That was one minor detail. That skirmish will continue, no matter how much name-calling goes on.

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The next detail that seems to have slipped through is that, for one week, it is good enough for Mrs Carnell, as the Chief Minister, to stand out the front and say, "This is no time for politicians. All you athletes are fantastic". All of us were cheering because it was indeed a wonderful event. It was good enough to subsidise buses and bring schoolchildren in from all over Canberra for our Olympic champions, and so it should have been. But - oh dear - it is not good enough for 12 September. The Government says, "Paralympians are so good at raising money; they have so few other things to worry about; they have so few concerns in life, having proved themselves to be outstanding athletes. Let us use their skills and let us send the ACT Council for the Australian Paralympic Federation out to get more money".

Donations of \$25 are, mercifully, tax deductible. So, that takes the sting out a little. But nothing takes the sour taste out of our collective mouths. For this extraordinary parade, I am sure that tens of thousands of Canberrans will turn out, if they can. We were all moved by the achievements of Damien, Gemma, David, John, Lisa, Hamish, James, Sharon and Judith - all of whom won medals - and Garry Crocker, Peter Dowling, Richard Nicholson, Francis Stanley and Sam Rickard, who were also at the games, behind all of whom we were putting our energy, enthusiasm and support. They are somehow in a different category. Somehow, it is all too much to help the children come to their parade; so the ACT Council for the Australian Paralympic Federation has to raise the money.

If anything comes out of this debate today it should be that I hear, in the closure of the debate, from our Minister for Sport or from our Chief Minister, something like, "Oops, sorry. The subsidy is on, and the ACT Council for the Australian Paralympic Federation can keep any money it raises to do what it is there to do, and that is to support our Paralympic sportspeople, to support our people with disabilities, to make life a bit easier for the families who work so hard to keep these people going. Let us get these children in to see these Paralympians, with the same level of support and the same level of enthusiasm as we saw for the first parade". I think anything less would be a sad indictment of this Government's support for our very best and most outstanding sportspeople, most of whom are probably with us in the ACT even now, who deserve every bit of support that we can possibly give them, if not an inch more. I will be listening very closely for that big "Sorry".

MR STEFANIAK (Minister for Education and Training and Minister for Sport and Recreation) (4.17): I do not know whether a big "Sorry" is actually appropriate. I think, once again, Ms McRae should check her facts and talk to the Deputy Chief Minister and Minister for buses, Mr De Domenico. Also, she might have talked to Don Allan in relation to the Paralympics.

Ms McRae: So, what is this about? Page 3.

MR STEFANIAK: You might like to talk to Don Allan about that, because I know that they are very keen to raise money. But, Ms McRae, I am advised by the Deputy Chief Minister - and he can elaborate, if need be - that the same subsidy is being provided for the Paralympians as was provided for the Olympic parade last Monday week.

I am also advised by him that Don Allan rang ACTION, off his own bat - he did not ring me, he did not ring Tony De Domenico, he did not ring you - and offered to pay \$500 for the actual parade. It so happens, Ms McRae, that that is exactly the same amount as was paid for the parade last Monday week. That money for the schoolchildren was picked up by the Department of Education and Training. Mr De Domenico also advises me, Ms McRae, that, whilst 20 buses are being provided now, ACTION is quite happy to provide up to 50 buses, should that be required. Mr De Domenico can elaborate, if need be. I would suggest that you should have checked that with Mr De Domenico, and specifically checked it with Don Allan, who has been working with ACTION and also other people in relation to the organisation of this parade. So, again, I think it is a case of checking your facts. That really means that the amendment which Ms Follett has circulated should become unnecessary.

So, Mr Speaker, having disposed of that - and the Deputy Chief Minister can elaborate, if need be, on the details in relation to his buses - I would like to support Mr Hird's motion, which is to praise all of our athletes - both the Olympians and the Paralympians - who competed at the recent Atlanta Games. Firstly, in relation to the earlier Games, there were 19 ACT Academy of Sport athletes who competed in the Atlanta Olympic Games. They won five medals, including gold for Lisa and Katrina Powell, the other medals being bronze for lightweight double sculls rower Bruce Hick and softballers Sally McDermid and Joanne Brown.

Mr Speaker, when it is considered that there was only one ACT Academy of Sport athlete at the 1992 Barcelona Olympics, the impact and effectiveness of the program of the ACT Academy of Sport over the past four years can, by any account, be judged to have been extremely significant. I think Canberrans can be proud that the investment the ACT Government has made in the ACT Academy of Sport programs has been of the first order, and we can look forward to an even greater representation, as a result, in Sydney in 2000. Last year, the Government decided to impose a one per cent poker machine levy on ACT clubs to further fund the ACT Academy of Sport. No-one likes to be slugged with an extra tax; but I am happy to say that the clubs have been very supportive of the ACT Academy of Sport, and they are more than satisfied with the results of their input.

ACT representation in the team on a per capita basis was 5.5 per cent, which is great when you consider that we are only 1.2 per cent of the population base of Australia. All the athletes graduated from both the academy's intensive training centre programs, in sports such as hockey, rowing and softball, and the academy's individual scholarship program, in sports such as archery, yachting and modern pentathlon. Not only were there five medallists, but other academy athletes - including Sue Hobson, in athletics; Brendan Todd in yachting; Kay Hick and Karina Weiland in rowing; and Mary Grigson in cycling mountain bike - made finals or finished in the top 16.

The ACT Academy of Sport athletes at the Olympics were: In women's hockey, Lisa and Trini Powell; in softball, Sally McDermid and Joanne Brown; in rowing, Bruce Hick, Craig Jones, Kay Hick, Karina Weiland, Angela Holbeck, Stuart McRae and Ballanda Sack; in athletics, Simon Baker and Sue Hobson; in archery, Myfanwy Matthews; in yachting, Brendan Todd; in judo, Narelle Hill and Brian Power; in modern pentathlon, Alex Johnson; and in cycling mountain bike, Mary Grigson.

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The Canberra region has also had an outstanding Olympic Games with the likes of Queanbeyan's Megan Still winning gold in the female lightweight double sculls and Australia's first gold medallist of the games, Michael Diamond from Goulburn, winning the single trapshoot. I would also like to congratulate Fiona Robinson, who was part of the Australian women's basketball team which won our first ever Olympic medal in that sport, with victory over the Ukraine for the bronze.

There is no doubt that these athletes, as well as officials and other Olympians from around Australia, received a terrific welcome home in the parade. We had 69 Olympic athletes in that parade. The press estimated that there were about 20,000 people there, including in excess of 4,000 ACT schoolchildren. They were bussed there in around 50 ACTION buses and 13 private buses, as well as in private transport, and those students from schools near Civic walked there. I am delighted to say that, once again, ACT schoolchildren will be part of the welcome home celebrations for our outstanding contingent of the Australian Paralympic team next Thursday, 12 September. When you count a couple from the AIS, the ACT had 13 representatives in that team. That is about 8 per cent of the total Australian team, and they brought home some 25 per cent of the gold medals.

Mr Speaker, in contrast to the Olympic parade, where the children were on the roadside, as I said in question time, the schoolchildren will be part of the celebrations in Glebe Park. That will give them a great opportunity to mix with and congratulate their Paralympic heroes. As I also said, the Government will also endeavour to get as many as possible of the students in our special education classes to be part of those celebrations.

The results for the ACT Paralympians are as follows: Damien Burroughs, in track and field, a gold medal; Gemma Dashwood, in swimming, three gold medals and two silver; David Evans, in track and field, two gold and one silver; John Eden, in track and field, one bronze; Lisa Llorens, in track and field, one gold and one bronze; Hamish McDonald, in track and field, one gold; James Normahas, in pistol shooting, one bronze; Sharon Rackham, in track and field, one gold; and Judith Young, in swimming, three silver and one bronze. Other athletes from the ACT who competed were Garry Crocker, in wheelchair rugby; Peter Dowling, in track and field; Richard Nicholson, in power lifting; Francis Stanley, in track and field; and Sam Rickard, in track and field. It was truly an outstanding performance, and I support Mr Hird's motion, which calls on the Assembly to congratulate those magnificent athletes.

MS FOLLETT (4.24): Mr Speaker, I am delighted to support Mr Hird's motion congratulating our Olympians and Paralympians. I, for one, as an Australian, have been absolutely bursting with pride at seeing the success that our countrypeople have had in both the Olympics and the Paralympic Games. I think it is a particular thrill as a Canberran, where you know personally some of these people who are competing, to be able to watch them competing with enormous success in the best competition in the world. The feeling of pride really is very difficult to overstate, Mr Speaker. It is an extraordinary achievement by them and, of course, it is a marvellous reflection on the community that has sent them forward to the Olympics and the Paralympics.

Mr Speaker, I would like to make a couple of comments, first of all, in relation to the right of all children and all young people to take part in sporting activities, even though they may have no hope of ever achieving anything like an Olympic standard in those activities. I consider that this is one aspect that our community must never lose sight of as we move towards the 2000 Olympics to be held in Sydney. I think there is a danger of an overconcentration on the elite end of sports, perhaps to the detriment of the community sporting activities and the kinds of activities that are now, and ought to be, available to all children, all young people - in fact, people of all ages - in our community.

I hope that it is not the case that, as we move closer to the Olympics, we see more and more resources poured into that elite end, at the cost of the rest of us, who bumble around, getting enormous enjoyment and health benefits out of some sort of sport, but without any show at all of ever representing the country or even the suburb. Mr Speaker, I think it is very important for the Sports Minister in the Territory to make sure that he maintains his effort at community sporting activity, at ensuring that all children have an opportunity to enjoy some sort of activity, perhaps to be good at it, but, if they are not good at it, that it is still an activity which they can carry on into the rest of their lives.

Mr Speaker, in point of actual fact, I enjoyed watching the Paralympics more than the Olympics. I make no bones about that. There were two reasons for that. The first, I think, was the difference in television coverage. There was simply no comparison. With the Olympics, what we saw largely, despite the valiant efforts of the Australian coverage, appeared to me to be an American tape. It was the case that some Australian competitors were simply never covered in the footage that we saw of particular events. It was extremely frustrating. Also, because it was a commercial station, one incident that particularly irritated me was that, having waited up half the night to watch the women's hockey team competing in a vital game, the only goal scored in the entire game, which was scored by the Australian women, was in a commercial break and we never saw it. I was furious.

Mr Speaker, I think you can compare that kind of coverage, where the Australians were largely overlooked on the taped footage, with the coverage of the Paralympians by the ABC. Not only were the Australians made a special feature, but all of their activities were well covered. The commentators knew our competitors and were able to point them out and point out their achievements. They were able to tell us about their history and so on. So, there is no doubt in my mind that for the 2000 Olympics, for those many millions of Australians who will not be able to make it, if the television coverage is done by the ABC - the national broadcaster - we will get an infinitely better deal. I certainly hope that that is the case, Mr Speaker. I think that it was a great shame for the Olympics to be commercialised in the way that they were. It did mean that many of us did not get as much enjoyment out of them as perhaps we should have, being taxpayers who contributed substantially to sending all those Olympians to Atlanta.

So, Mr Speaker, I would like to put those couple of comments on the record. I would also like to put on the record my complete lack of faith in the Government's ability to arrange appropriate bussing arrangements without the amendment which I have circulated to the Assembly.

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I move:

Add “and the Assembly calls on the Government to arrange bussing to the Paralympic Welcome Home Parade at the same or less cost to organisers as for the Olympic Welcome Home Parade”.

Mr Speaker, I find it very worrying that there is even a suggestion from the Paralympic organisers that they are going to have to raise special funds to pay for buses to the welcome home parade.

Mr Hird: Yes, but it was their idea, Rosemary.

MS FOLLETT: I do not care whether it was their idea or someone else’s idea; I think it is an idea that ought to be scotched immediately. Mr Speaker, I think I heard the Minister for Sport say, in relation to the Olympic welcome home parade, that the Department of Education had found the funds to provide the buses. So, even at the very much concessional rate that the Olympic organisation was charged, they did not have to pay anything, because the Education Department paid for it. I think it would be totally reprehensible if the Paralympic welcome home parade had any lesser arrangements than that. So, my amendment is that the cost to the organisers of the Paralympic welcome home parade bussing should be the same as or less than that of the Olympic welcome home parade.

If the Department of Education can again pick up the tab, I urge them to do so. Perhaps the Department of Health and Community Care could pick up the tab. I urge them to do so. I think it would be very much a blot on the Territory’s copybook if we were to give any suggestion that we treated the Paralympians less advantageously than the Olympians. So, we need to fix it up.

Mr Wood: Buses need to be as comprehensively provided, too.

MS FOLLETT: As my colleague Mr Wood says, the buses for the Paralympic welcome home parade need to be at least as comprehensively provided. I am pleased to hear little noises of assent to that from the Government, Mr Speaker.

Mr De Domenico: You will hear big noises of contempt soon.

MS FOLLETT: Big noises even. That would be better. That would be more your style, too. Mr Speaker, it is a sad fact that the Olympians have so much more money in many ways than the Paralympians. They have sponsorship. They get prize money for winning medals. I do not know whether the Paralympians got the cash reward for winning medals that the Olympians did; but I would be pretty sure that they did not. I do not think we would have seen Gemma Dashwood, Lisa Llorens and all the rest of them getting a \$25,000 cash hand-out for winning a gold medal. I very much doubt it. So, let us make sure that when we do welcome them home we really turn it on for them and that they are not disadvantaged financially or in any other way. I think this community would want to express its unqualified support and admiration for and pride in these people. Mr Speaker, I support Mr Hird’s motion. I urge the Assembly to support my amendment as well.

MR BERRY (4.32): I rise, too, to support Mr Hird's motion. I think it is timely and, indeed, it ought to be expected by the community of us in the Assembly. Many have spoken about the fine work that was put in by the Paralympians and the Olympians and all the work that they put into their particular sports before they went away. So, I do not need to dwell on that, Mr Speaker. It has all been said, and said most eloquently. But what I do want to draw attention to is the amendment that has been moved by Ms Follett to ensure that the Government arranges proper funding for the Paralympians so that schoolchildren can attend the welcome home parade.

My colleague earlier pointed out the cost of the heroes parade, which is found in an article in the *Chronicle* on page 3. I think that was just a disgrace. I am very pleased to observe, I think, that the Government members look as though they have been shamed, red-faced, into agreeing that they have been absolutely hopeless. So, Mr Speaker, I am urging Government members to vote for Ms Follett's amendment. I will certainly be voting for it. We need to pass the motion because, I think, given the Government's performance, we need to have a motion on the books to ensure that they carry it through.

There is one other matter, Mr Speaker, which I think we should dwell on just for a moment, and that is funding for disabled swimmers. In the newspapers' letters columns there have been several letters in relation to this matter. It is now very clear that the funding for the disabled swimming program which was run by ACT Swimming has been concluded. The Government has been so mean on this issue, in a year when the Paralympians went away and did so much for the image of Australia, that it brings shame to this Assembly. Fancy backing away from that funding! That is a great change. They were receiving funding, and the Government discontinued it.

Mr Speaker, you should have seen the letter from Mrs Carnell in the paper, going through the pretence that the Government in some way was responsible for the program continuing under ACT Swimming. That was the most outrageous and misleading letter that I have read in the Assembly for some time. The fact of the matter is that the Government did not continue the funding, and ACT Swimming had to carry out the program itself. Mrs Carnell was quick to stand out in front of the parade and grab the limelight in relation to the Paralympics when the athletes went away. It was great. But behind the scenes we find that ACT Swimming has missed out on funding for an important swim program for disabled potential Paralympian athletes. I just think that is disgraceful.

How can you sit there, blush-free, Chief Minister, when those sorts of things are allowed to happen within your Government? This incompetent Minister over here ought to have been advising you to ensure that that funding was continued in order that disabled athletes could be seen to be treated fairly in a year when the Paralympians were going away to do their bit for Australia. If this incompetent Minister did not advise you accordingly, you should fix it right now. There is a debate going on in this chamber. The Government will rise shortly and say, "We will fund the buses", because we have shamed them into it. Here is another thing you should be shamed into saying - "We will reinstate the funding to ACT Swimming to run the disabled program". Come on; show us how good you are. We can shame you into a few buses; let us shame you into a few dollars for the disabled swimmers. What a joke!

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Who would expect, in the year of the Paralympics, that a government would cut funding to a disabled swim program, for heaven's sake? No government would do that; not even Jeff Kennett's. I just cannot believe that you sit there and resist the tide on this issue. Why do you not come to your senses on the matter and just give in, fold, pay the money, continue the funding? Do not be such an embarrassment to us all. Why do we have to put up with this stubbornness? Why are you trying to escape the obligation to look after disabled swimmers? You are an absolute disgrace, the lot of you. Here is your chance to dig yourself out of a little hole, anyway. Just agree to fund the program for disabled swimmers. You are a shameful lot if you cannot respond to that call.

It was pointed out that you had the opportunity to make the funding available to ACT Swimming. You ran away from it, arrogantly. If that is the way you want to play the game, you are going to be pilloried for it, and the community out there are going to find out about how you lot think. You do not care about people.

Mrs Carnell: You are wrong again.

MR BERRY: Oh, yes; every time Mrs Carnell gets caught, she says, "You are wrong again". We have got you time and time again. We have got you on dud figures. We have got you on hospital budget blow-outs. Now we have got you on disabled swim programs.

Mr Speaker, we can expect the Chief Minister to come in here and berate anybody who disagrees with her. It is very cute - this Carnell cuteness on berating people. We saw an example of it in her response to a person's letter in the paper pointing out that Mrs Carnell had not funded the disabled swim program. She immediately spun around and went for him like a snake. She gave him a ring at home and gave him a burst as well: "How dare you disagree with me! How dare you expose me for my frailties!". You are a shameful lot. You should fold, you should give in, you should maintain the funding, in the same way as you have been shamed into agreeing to the buses. Shame on you!

MR DE DOMENICO (Minister for Urban Services) (4.40): Mr Speaker, can I perhaps get some facts into this argument and can I say to Mr Berry and others who have stood up and played politics again with Paralympians - - -

Mr Berry: You talk about me!

MR DE DOMENICO: Just listen.

Ms McRae: Excuse me; it is in the paper.

MR DE DOMENICO: It must be right because it has been in the newspaper. That is the attitude.

Mr Berry: No; it is on the notice paper.

MR DE DOMENICO: It is on the notice paper. What started off as being a very positive motion on the notice paper, to say, “Well done. We are very proud of you. You are fantastic”, has now turned into a political dogfight. I think you on the other side of this place ought to be ashamed of yourselves.

Mr Berry: Just vote for the amendment.

MR DE DOMENICO: We will. I will tell you why we will vote for the amendment, Mr Berry - because of the facts of the matter, and this is what the facts are - - -

Mr Berry: You have never voted for anything on that basis before.

MR DE DOMENICO: I have just said that the Government will support the amendment, Mr Berry. Surprise, surprise! The Government will support the amendment. This is why we will support the amendment. My office rang ACTION buses and asked whether they would make the same arrangements for the Paralympic parade as they did for the Olympic parade. There was a phone call from my office to ACTION buses: “Will you make the same arrangements - - -

Ms Follett: That is completely irrelevant.

MR DE DOMENICO: You are on a hiding to nothing, so just sit down and listen. Subsidised buses, for about \$6 to \$10 for each return journey, billed to the Education Department and, if they could not afford it, billed to ACTION buses - - -

Mr Berry: It was billed to the schools.

MR DE DOMENICO: Wait. They said, “You can have some buses for nothing - up to 50 buses - the same offer as we made in regard to the Olympics”.

Ms Follett: The schools were sent the bills.

MR DE DOMENICO: Whoa; sit down and listen. ACTION said, “Of course we will do that”.

Ms McRae: And then they sent the bills to the schools. Very good.

MR DE DOMENICO: Just wait a minute. Sit down and listen. You will learn a lot of things if you listen to the facts. I know that you do not want to listen to the facts, because they are going to hurt; but listen anyway. Mr Don Allan, who is well known around this place and who has something to do with the Paralympics, then rang ACTION directly on the same day and said, “I insist on paying \$500 for the buses because I do not want the Paralympians to be treated as some form of charity. I, after consultation with my board, insist on paying \$500 for the buses”. ACTION said, “Hold on a tick. We are not in a position to say yes or no to that. Mr Allan, you had better ring either Mr Stefaniak’s office or Mr De Domenico’s office”.

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Mr Berry: Did the Olympic Council pay \$500?

MR DE DOMENICO: Just wait a minute. Mr Allan did not contact either of the two Ministers' offices.

Mr Berry: So, it is his fault.

MR DE DOMENICO: No; it is not his fault. He offered to pay.

Ms McRae: So, why do you not donate the money back?

MR DE DOMENICO: Just listen and stop playing politics with this issue. My office contacted ACTION again to confirm that it was true that Mr Allan insisted on paying the \$500.

Ms McRae: So, you could have insisted on donating it back.

MR DE DOMENICO: Whoa! Once again Mr Allan said, "I do not want these buses for nothing. I insist on paying \$500". Mr Stefaniak's office, I am advised, also offered to help Mr Allan and his organisation with the promotion of the parade. What did Mr Allan say? He said, "No, thank you very much. We would like to do this by ourselves to prove that we can. Thank you, Minister, anyway. We will do it ourselves to prove that we can".

Mr Berry: Meaning, "We do not want to be associated with you lot".

MR DE DOMENICO: Listen to the nonsense coming from that man's mouth. This is the bloke that wants to be leader of the Labor Party.

Of course, DUS is already providing the traffic control, Mr Speaker, and the Government is also providing the barricading and the policing services, as it would for any get-together of this kind.

Mr Berry: Now you are providing the buses. Now we are all sweet. Now all you have to do is provide the funding for the swim program.

MR DE DOMENICO: No, Mr Berry; just wait. Mr Geoff Perry and Mr Don Allan from the association said to both Mr Stefaniak's office and mine, "We would like to do it this way because we do not want this issue to be politicised". And what have you grubs done? You have politicised the whole thing. Shame on you!

Ms McRae: Give them the money back.

MR DE DOMENICO: I will take up Ms McRae's interjection because it is a humdinger. As if the hole is not deep enough; it gets deeper and deeper every time she opens her mouth, Mr Speaker. She said, "Give them their money back". I am advised, Ms McRae, that what Don Allan wanted to do was say, "We will end up not paying for the buses anyway. We would like to go out there ourselves and get some sponsorship".

And guess what they have done? I am advised that a notable firm in this town has said, "Yes, we will pick up the tab and show also that we are supporting your organisation". Ernst and Young, one of the big five accounting companies, I am told, said, "We agree with what you are doing, we are delighted that you have gone out of your way to get your own sponsorship, and we are prepared to give the \$500".

Ms McRae: The buses should not have cost anything in the first place. Outrageous!

MR DE DOMENICO: Ms McRae, I agree with you; and they have not. The buses have not cost anything. Let me tell you what has happened, Ms McRae. You have not spoken to Mr Perry or Mr Allan, have you?

Ms McRae: I rang Mr Allan this morning.

MR DE DOMENICO: Have you spoken to him?

Ms McRae: Yes.

MR DE DOMENICO: What did he say?

Ms McRae: I am not going to tell you.

MR DE DOMENICO: Of course she is not going to tell me, Mr Speaker, because she cannot play politics if she tells me. They are her own words, Mr Speaker. Thank you very much. Who is sorry now? Mr Speaker, when we do something in this city, we consult the people that we are supposed to be helping and we take their advice. Mr Allan said, "We do not want to be treated as a charity. We want to be treated in the same way as the Olympians were treated".

Mr Berry: And that is how they are going to be treated.

MR DE DOMENICO: And that is how they are going to be treated, Mr Berry, because that is the way they wanted to be treated. They would have been treated like that anyway, whether or not you had played your politics.

Mr Speaker, the Government is absolutely delighted to support Ms Follett's amendment. The other thing the Government is also delighted to do is to expose this lot opposite for the grubby little political animals that they are, playing politics with issues like this one. What they should have done was speak to Mr Perry and to Mr Allan, instead of playing politics in this place over this sort of issue. Shame on them!

Amendment agreed to.

Motion, as amended, agreed to.

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PERSONAL EXPLANATIONS

MRS CARNELL (Chief Minister and Treasurer): Mr Speaker, I would like to make a personal explanation under standing order 46. Mr Berry indicated to the Assembly earlier that I had cut funding to a particular disabled swimming program. The reality is - - -

Mr Berry: Mr Speaker, I heard you point out earlier that, if people wanted to debate these issues in the course of a debate, they could do it.

MR SPEAKER: Just a moment. There is not a debate going on at the moment.

Mr Berry: No. I understand that. There were plenty of opportunities earlier for her to debate this issue.

MR SPEAKER: “Where a member’s word has been doubted or impugned”. Continue, Chief Minister.

MRS CARNELL: Thank you, Mr Speaker. I was not aware that the debate we just had was on disabled swimming. I thought it was on buses for Paralympians. I am sorry, Mr Speaker. During that time Mr Berry indicated that I had cut funding to a disabled swimming program and that I was dreadful, shocking, horrible - and all the rest of the things that he said impugning my character.

Mr Speaker, the reality of the situation is that this Government provided \$9,000 in seed funding to set up a disabled swimming program in Civic. There was no request whatsoever for recurrent funding. There was a request for \$9,000 to set up a program. Mr Speaker, interestingly enough, they put in another application for \$9,000 for a disabled swimming program at Tuggeranong, which we are looking at, I suppose, in a very favourable light. Mr Speaker, Mr Berry’s comments about me - indicating that somehow I had done something against or to impact upon the capacity of people with disabilities to learn to swim - are certainly not true. In fact, I personally - this Government - made available money for a disabled swimming program, money that was never made available under a previous government.

MR STEFANIAK (Minister for Education and Training and Minister for Sport and Recreation): Mr Speaker, I also seek leave to make a personal explanation under standing order 46. During the course of the debate which the Chief Minister has just spoken on, Mr Berry raised the extraneous point in relation to funding for disabled swimming. I might point out to Mr Berry - - -

Mr Berry: On a point of order, Mr Speaker - - -

MR STEFANIAK: Will you sit down and shut up. If you listen, you might learn something. Mr Speaker, he made a few derogatory comments in relation - - -

Mr Berry: Mr Speaker, I never said that. I said that Mr Stefaniak was incompetent. I would like to see him answer the challenge.

MR STEFANIAK: Given that Mr Berry has had that thrown at him - with good cause - over many years, that probably is not unparliamentary. Mr Berry, however, indicated that I should have spoken to Mrs Carnell. That is very difficult, Mr Speaker. For Mr Berry's information, as the Chief Minister said, it is quite clearly a program which she runs, and there was not an application. It is not one of the programs that I run. No-one - whether it was someone from the disabled swimming, the person who was a correspondent in the paper, Mr Don Allan or anyone from swimming generally - ever approached me about it. The first thing I knew about it was when I read about it in the paper. So, Mr Berry, get your facts right again.

Mr Berry: Mr Speaker, I withdraw any imputation.

MR STEFANIAK: That was not anything to do with the Bureau of Sport, Recreation and Racing. Mr Berry, if people bring up anything in relation to sporting matters, I am quite happy to talk to whoever is responsible for any particular program.

MR SPEAKER: Order! The personal explanation is concluded, Mr Stefaniak.

Mr Berry: Mr Speaker, I withdraw any imputation against Mr Stefaniak. He has made it clear that it is all Mrs Carnell's responsibility.

GREENHOUSE GAS EMISSIONS

MS TUCKER (4.53): I move:

That, taking into account the Australian Government's ratification of the United Nations Framework Convention on Climate Change, which includes a target of stabilising greenhouse gas emissions at 1990 levels by the year 2000, this Assembly calls on the Government to develop a greenhouse gas reduction target specifically for the ACT. Further, that this target be applied to greenhouse gases emitted within the ACT and also to greenhouse gases emitted outside the ACT as a result of electricity consumption within the ACT.

Mr Speaker, the Greens have proposed this motion because we are concerned that not enough is being done to address one of the greatest environmental threats to the planet. The earth already has a natural greenhouse effect; gasses such as carbon dioxide, methane and nitrous oxide in the atmosphere trap heat from the sun's rays within the atmosphere, thus maintaining the earth's temperature at a level which allows life to be sustained. However, human activity since the Industrial Revolution has significantly increased the concentrations of these gasses in the atmosphere and is enhancing the natural greenhouse effect, which is leading to global warming and consequently a range of negative environmental and social impacts. Rises in sea levels are just one consequence. There could be also increased variability in climate, with more extreme events such as droughts, floods and storms. Both natural and human systems across the globe will be affected by climate change.

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The Inter-Governmental Panel on Climate Change, which is the United Nations sponsored body of scientists from around the world charged with the responsibility of assessing the scientific evidence on climate change, reported at the start of this year that there is now clear evidence that human activity is affecting the global climate. The ultimate effects of this climate change are still not known, but there can now be no denying that climate change is real and must be addressed by the governments of the world.

Ms Follett: On a point of order, Mr Speaker: I draw your attention to the state of the house and most particularly the state of the Government; they have given up and gone.

MS TUCKER: It is a great indication of their interest in the subject.

Mr Hird: No, they have not. They are just out there. There are two Ministers talking out there, Mr Speaker. As usual, you are wrong, Rosemary, which does not surprise me.

(Quorum formed)

MR SPEAKER: I remind members that the chamber is the area bounded by the rails behind the crossbenches.

Ms Follett: It does not include the corridors; is that what you are saying? Mr Hird was wrong?

MR SPEAKER: That is right.

Mr Hird: No. I was saying that they were just outside, talking.

MR SPEAKER: You are correct. It certainly does not include outside. Continue, Ms Tucker.

MS TUCKER: Thank you, Mr Speaker. If governments are serious about ecological sustainability and about preserving the world for future generations, then they must take a precautionary approach to the greenhouse issue. The lack of full scientific certainty cannot be used as an excuse for not taking action that may prevent irreversible harm to the human and natural environment.

Internationally, the United Nations Framework Convention on Climate Change came into force in 1994 and has now been signed by over 120 countries, including Australia. The convention places special responsibility on the developed countries of the world to reduce their greenhouse gas emissions, with the aim of reducing greenhouse gas emissions to 1990 levels by the year 2000. There has been an ongoing debate among the parties to the convention over the need to strengthen the convention by including a greenhouse gas reduction target that would be binding on countries. It was extremely disappointing that at the conference of the parties to the convention earlier this year, the Federal Liberal Government chose to side with a small number of oil-producing countries and not support calls from most other countries for a binding greenhouse gas reduction target. However, the ALP should not take comfort from this, as it also attempted to move away from its initial commitment to the Australian interim greenhouse gas reduction target during its time as the Federal Government.

The greenhouse issue is quite topical at the moment, of course, because of the forum of South Pacific countries which is currently being held in the Marshall Islands and which is being attended by our Prime Minister. There are many South Pacific countries which will face catastrophe in the next 50 years or more if the worst predictions of climate change come true. Rising sea levels could see some islands actually disappearing, and others will face increased flooding and contamination of water supplies. These countries are looking for help from Australia, as their nearest developed neighbour, but are being sadly disappointed by Australia's retrograde stunts on the climate change convention.

I have so far talked about the international dimensions of the greenhouse issue, but this issue is just as relevant to the people of the ACT. There is a key saying in the green movement that we should think globally and act locally. Climate change is a global issue that, indeed, requires a global response. We should be concerned about greenhouse gas emissions in places like the United States, Europe and Asia because the greenhouse effects of these gases will affect all of the globe. However, we should also be concerned about our own greenhouse gas emissions. It has been argued in other forums that Australia should not be forced to take much action on greenhouse because we are a relatively small contributor of greenhouse gases on the world scene.

ADJOURNMENT

MR SPEAKER: Order! It being 5.00 pm, I propose the question:

That the Assembly do now adjourn.

Mr Humphries: Mr Speaker, I require the question to be put forthwith without debate.

Question resolved in the negative.

GREENHOUSE GAS EMISSIONS

Debate resumed.

MS TUCKER: It will probably also be said in this debate that Canberra, as just one city in Australia, makes an even smaller contribution to the greenhouse effect and, therefore, should not go out of its way to reduce its emissions. I would argue, however, that this is just buck-passing. If every government just pointed to another government and said that it was their responsibility to reduce greenhouse gas emissions, that they should bear more responsibility for the problem than we do, then nothing would ever happen. Somewhere along the line someone must take responsibility for this issue. I believe that every government at every level should take responsibility for minimising the impacts of climate change by reducing the greenhouse gas emissions in their jurisdiction.

In the ACT, I believe that this Assembly must do all that is within its power to reduce greenhouse gas emissions in the ACT as part of its commitment to Australian and international efforts to reduce climate change. No doubt the Government will soon tell us about the great things they are doing to reduce greenhouse gas emissions in the ACT. This is to be commended, but it misses the point of my motion. I am calling for a greenhouse gas reduction target against which these initiatives can be measured. The Government has moved towards a system of greater accountability within its Public Service, including the introduction of performance measures against which Government departments have to report. We see no reason why there should not also be a system of performance indicators for the Government's environmental programs. We made that point often in the Estimates Committee last year and at other times during debates in this place. While we will soon have baseline data on ACT emissions through the national greenhouse gas inventory, we have no idea of the greenhouse gas reductions that may be achieved in the ACT by greenhouse gas reduction measures that are being implemented. Having an ACT target will improve the impetus for tightening the effectiveness of these measures.

Greenhouse gas targets were originally proposed at national and international levels to provide measurable goals to work towards and a focus for action. Greenhouse gas emissions can be quantified relatively easily, particularly from the energy and transport sectors, which are the bulk of ACT emission sources; and there is a clear link between the level of greenhouse gas emissions and climate change. It should be noted that the targets being discussed internationally, such as stabilising greenhouse gas emissions at 1990 levels by the year 2000, were derived through political negotiations and do not go far enough in actually reducing greenhouse gas concentrations in the atmosphere to levels that will prevent climate change. However, at least it is a start that can be built upon over time.

The previous Federal Labor Government set an interim planning target to reduce Australia's greenhouse gas emissions to 20 per cent of 1988 levels by the year 2005, and this target was endorsed by State and Territory governments in the inter-governmental agreement on the environment. However, it has always been unclear how this target should be applied to States and Territories. One interpretation is that each State and Territory should attempt to achieve the target in their own jurisdiction. Alternatively, the target could be regarded as a national average, with some States doing more than others to reduce emissions. Even our own Minister for the Environment does not seem to know how the national target should be applied locally, and just today we have received clarification of an answer to a question that we asked of the Minister here regarding the ACT's greenhouse strategy and targets which we have in place. It is, therefore, about time that this issue was clarified. The ACT should have its own greenhouse gas target. Of course, this target should be integrated with the national target and may not necessarily be the same as the national target, but the ACT should have its own target nonetheless. A key feature of the ACT is that a major proportion of our greenhouse gas emissions is actually emitted outside the ACT because we do not have our

own electricity generating facilities here. However, this should not be a cause for complacency, as it is the demand for electricity by ACT residents that is creating some of the greenhouse gas emissions from the coal-fired power stations in New South Wales from which we draw most of our power. Situations should be factored into our greenhouse target, as suggested in my motion. Setting an environmental target for the ACT is not a new idea. In fact, this Government set the precedent by announcing a bold target of reducing the ACT's waste to zero by 2010. Presumably, in this case, the Government was quite happy to pick a target that was way ahead of what had been proposed by other States and way ahead of the existing national target of reducing waste going to landfill by 50 per cent by the year 2000. Presumably, it also intended to use this target as a performance measure for waste reduction measures over future years. It would be quite hypocritical of the Government to set targets for waste reduction and not be prepared to set targets for greenhouse gas reduction.

In the Government's response to the 1995 ACT State of the Environment Report, the Government listed a range of actions it was participating in as part of the national greenhouse response strategy. However, many of these measures relate to issues over which the ACT has little control or which are more relevant to the larger States. While the ACT should continue to participate in national initiatives, particularly the development of a national greenhouse gas inventory which can help us determine emission levels in the ACT, the ACT also needs its own strategy containing actions which can be specifically applied in the ACT and which will produce quantifiable results in terms of greenhouse gas reductions.

There could also be economic benefits that flow from this. Energy efficiency produces long-term savings, not just in greenhouse gas emissions but also in energy costs for business and consumers. Development of renewable energy technologies in the ACT could also generate new business opportunities. The ANU is currently undertaking world-leading research on photovoltaic and solar thermal electricity generation technologies, which we should be drawing upon. Most buildings in the ACT are very energy inefficient in relation to our cold climate. Providing incentives to retrofit existing buildings with energy efficiency measures will pay for itself in a few years and generate ongoing savings after that. Only today there was a report in the *Canberra Times* that Canberra consumers could save \$7m a year through the installation of energy efficient windows in their houses. These measures will also generate jobs in providing and installing these energy efficient improvements. The Government could use its greenhouse strategy as a way of promoting Canberra as a clean and green business centre, rather than seeing it as a burden to be avoided.

The existing ACT greenhouse strategy was released in 1993 and does need updating. The Government should use this opportunity to set specific targets for the strategy and introduce a real action plan to achieve it and not just fill the strategy with generalised objectives and vague measures that give no clue as to what actually will be done and what they will achieve in quantifiable terms. If this motion was accepted and acted upon, the ACT could be a leader in greenhouse gas reduction in Australia, rather than just a follower.

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (5.08): Mr Speaker, let me indicate that, although there are some elements about this motion which I have some uncertainty or doubt about, I do not believe that the Government needs to oppose it, because I believe that the direction in which Ms Tucker proposes that we move is essentially the right direction. Ms Tucker made reference to the fact that the ACT has gone some way down the path of identifying our, albeit, small contribution towards the production of greenhouse gases in Australia. I have told the Assembly on a previous occasion that the ACT's contribution is probably less than one per cent of the national level, even though our population would, in theory, warrant a higher contribution. That is accounted for, obviously, for the most part, by the fact that in the ACT there are fewer larger industrial activities which can have the effect of generating greenhouse gases and also fewer rural pursuits which might give rise to such production. Some progress has been made on this subject.

The ACT greenhouse strategy was also referred to by Ms Tucker, and her argument was essentially that there should be a follow-up to that strategy, a setting of targets within that strategy, so that we are able to identify what the level of ACT greenhouse gas contribution is and how we can then move progressively to reduce it in order to match or presumably lead the Australian contribution towards the targets set as part of the Framework Convention on Climate Change; that is, we return to 1988 levels by the year 2000, and we reduce by 20 per cent our greenhouse gas emissions by the year 2005. Mr Speaker, those are worthy goals and it will be a matter of enormous regret to Australians, and even more regret to the inhabitants of other nations, particularly low-lying South Pacific nations, if those goals are not met and perhaps exceeded within the timeframe provided for.

The ACT is a participant in the national greenhouse response strategy which was ratified by all Australian governments in December 1992. In the middle of 1993 the then ACT Government tabled a greenhouse strategy which was the ACT's contribution towards the development of a national framework. Mr Wood will recall that occasion well, as he was the Minister. I might note, however, that Mr Kaine, as a former Minister for the Environment, also contributed to that process by setting in train a process to examine those sorts of issues. I hope, Mr Speaker, that we can all consider the pursuit of goals like that as a worthy subject for agreement on the floor of this chamber so that we endeavour jointly to achieve a higher degree of acknowledgment, recognition and achievement of those sorts of targets.

The national greenhouse response strategy that I referred to a moment ago is about four years old and is being reviewed at this time by an intergovernmental group which comprises representatives of all Australian governments, the ACT included. We are, in fact, a key player in the review by jointly proposing, with the Australian Local Government Association, the involvement of the third tier of government in the process of contributing to lower levels of greenhouse gas emission. Members will not need much imagination to realise that, in fact, local government, which includes government in the ACT, does play a quite important role in the management of those sorts of issues. Things like sewerage systems contribute to greenhouse gas emissions,

and, if we are able to better manage those things, achieve a higher level of management of the gas emissions by those sorts of processes, then naturally we make an important contribution to the achievement of national goals in that area. I understand that the national planning targets referred to by Ms Tucker are also subject to review in light of the release of the national greenhouse gas inventory and other developments.

The important point to make, of course, Mr Speaker, is that, before we set targets in the ACT for levels of greenhouse gas emission reduction, it is essential that we actually know what our level of greenhouse gas emission is. We do not, at this point, know what that is. Indeed, I suspect that there is some difficulty across the nation in identifying just what that level is, and the process of the greenhouse gas inventory progressing is extremely important in achieving that goal. I do not interpret Ms Tucker's motion to be saying to us that we should set targets before we know what our present contribution is or before, in other words, the work of that inventory process is concluded; but I do take from her motion the strong call for the Government to ensure that when the levels of emission are determined we will take the step then of reducing those levels in accordance with the targets that we set ourselves progressively in order to meet the requirements of the Australian contribution towards that overall goal.

We made the commitment to reduce levels in our response to the 1994 State of the Environment Report, and we stand by that. I might go so far as to say that no other Australian government is prepared to go as far as we have gone on those sorts of commitments. The ACT contributes, as I said, less than one per cent. The Commonwealth is funding research at the moment to produce detailed figures about the inventories. That research is a necessary precursor to the adoption of targets and the lowering of the targets over time. I think it is worth recording the sorts of things that are presently under way in order to achieve lower levels of greenhouse gas emission, and some of those have been touched on already by Ms Tucker. One of them, which I read about in the paper today and which I thought was quite exciting, was the window energy rating scheme. Ms Tucker also referred to that. It is a scheme based, in part, on the success and the stringency of our own mandatory housing energy rating scheme, which has now been in operation for some months in the Territory and which, very successfully, I think, is getting home owners to address the issue of how to manage energy loss in their own homes.

The ACT has also taken an important lead in the area of transport. Our revised transport strategy has placed increased emphasis on environmental objectives, and I am going to consider very soon a report on the initial trial of natural gas in government vehicles. That also is a way that the large government fleet - which is getting smaller, I might say - can contribute to lower emissions. There are two natural gas buses in the ACTION bus fleet at the moment, and these will undergo emission tests shortly to compare diesel and diesohol fuel buses, and that will be valuable. We are also instituting regular reporting to agencies on fuel consumption, which will allow agencies to monitor the performance of the vehicles and identify those that we are not operating efficiently. We are examining alternative fuel options for trucks and earthmoving equipment.

Ms Tucker has also made

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reference to things like the strategy to reduce the amount of landfill in the Territory and moves that encourage recycling, which has some impact on those issues as well. Of course, in the context of the Mugga Lane and Belconnen tips, there is some work going on at the moment about the harvesting of methane from those sites, which will be another contributor.

Mr Speaker, let me make a reference to the Framework Convention on Climate Change. Ms Tucker made a comment about the position of the Australian Government at the Geneva convention in July this year where the Australian delegation, headed by Senator Hill, indicated that it wished to retard the march towards the targets that had previously been set and to pull back on the work being done in those areas. I must say that I have no problem in indicating my disappointment at having heard Senator Hill take that position initially to the climate conference. It is, I think, still relatively easy for Australia to comply with those sorts of requirements. It does not mean it is going to be easy overall. Let us face the fact: Stopping or reducing greenhouse gas emissions is going to be a huge task for a large number of nations around the world. But let us be clear that the advanced level of industrial technology available in developed countries like Australia makes the conversion to alternative systems which are less productive of greenhouse gases so much easier for us than, for example, a number of developing nations which are dependent on certain, sometimes outdated, sometimes heavily greenhouse gas producing, forms of technology to provide basic industrial processes and so on.

It disappointed me, frankly, that the Australian Government was not prepared to go to the conference and offer leadership in those areas, when it would have been extremely easy to do so, relative to other nations who were attending the conference. I note that there was some withdrawal from that position by the Australian Government after some reaction, both domestically and at the conference, to the revised Government position. I hope that that change of heart represents the permanent position of the Australian Government, because I think we have a duty to all the people of the world, particularly those in our region who have perhaps more to lose than most from the unbridled increase in or the maintenance of levels of greenhouse emissions, to do something about this problem.

I said before that I would provide more information on the Government's leading role in the local government review of the national greenhouse response strategy. Since the review of the strategy commenced it has been recognised that the existing strategy really does not adequately address the role of local government, and that needs to be addressed. Local government produces probably over 50 per cent of national emissions, and if we consider that huge contribution it is perhaps arguable that the debate about greenhouse gas emissions should be taking place not in State or national parliaments but in the chambers of councils of shires, cities and municipalities all over this nation, because that is, in a sense, the real cockpit of greenhouse gas emission in this country.

The limited funding and the parochial focus of local government often mean it needs to receive help to take effective action, and that is why we cannot simply leave it to local government to form targets. As a local government unit, in a sense, which contains both State and local government levels of response to issues like that and which has the capacity to deal with those issues at both levels, we should be setting an example of what we can achieve once we have the appropriate information at our disposal. That is why the motion that Ms Tucker has put before the chamber, I think, deserves to be supported.

We believe it is vital to the success of the overall strategy that we respond to the role of local government and develop measures which it is possible for local government to contribute to. As I said, the ACT, jointly with the Local Government Association, is working on that project as part of the national scheme.

Mr Speaker, I indicate the Government's support. I think that the ACT at the present time, without having the benefit of any test to verify what I say, is able to say that it is leading in this area. We have probably done more, taking into account the housing energy rating scheme and other measures, to deal with those sorts of emissions in the ACT context, than the average jurisdiction; but I think the point of the motion that Ms Tucker has put forward is that simply keeping up with the pack is not enough. We need to put in a better effort, and I hope that we can, in fact, do so once the essential work on the greenhouse inventory is completed and we are able, on the basis of sound research, to set ourselves targets and comply with those targets.

MR WHITECROSS (Leader of the Opposition) (5.22): Mr Speaker, I rise briefly to support Ms Tucker's motion. There can be no doubt that the issues of climate change arising from greenhouse are real and need to be taken seriously by the nations of the world and by all of us individually and in our respective levels of government. In our region, these issues need to be taken all the more seriously, because many of the countries in our region are very directly affected by the rising sea levels, which are one of the consequences of global warming. It is important for us to take this matter seriously.

Mr Speaker, it is also important for those of us in developed countries to exercise some leadership in this regard. If we are to pursue these issues, we must encourage the full range of countries to take issues like greenhouse seriously; we must exercise leadership. One of the more disturbing and disappointing things, I think, for me and for those of us on the Labor side here is when Federal governments, both Labor and Liberal, go soft on this issue and start to engage in special pleading on behalf of Australia as to why we should not have to meet targets in relation to greenhouse gas emissions.

Mr Moore: But in this case, particularly, the Liberal Government.

MR WHITECROSS: It is a Liberal government now; but, as I said, I am equally happy to express my disappointment that there was softness on the part of the previous Labor Government as well on this issue. Mr Speaker, not least among the reasons for the Federal Government ending up in a position of some weakness on this is a lack of energetic, proactive strategy to address the problem of greenhouse gas emissions, which really left Australia in a position where they could not meet their targets and, therefore, wanted to engage in this kind of special pleading.

Mr Speaker, it is important for governments to act positively. A key element of that has to be, as Mr Humphries said, getting a handle on what our current contribution is so that we can set realistic targets; otherwise we are not in a position to act positively. There is no doubt that we have done things in the past, as Mr Humphries mentioned, but there is more that can be done. Mr Speaker, not least among the things that we can do - and, of course, there are a lot - is this: We can have a better public transport system which encourages people to catch the buses instead of driving their cars. It is a pity there are no members of the Government here to actually hear this. Never mind!

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Mr Moore: Did you draw attention to the fact there are no Government members at all in the chamber?

MR WHITECROSS: Yes, I did. As you rightly point out, Mr Moore, there are no Government members here, which is a measure of their interest, perhaps. Anyway!

Mr Moore: It is a pity they cannot take the lead from the Speaker, who comes from the same party.

MR WHITECROSS: Yes. Mr Speaker, a healthy public transport system which would encourage people to catch buses rather than drive their cars, of course, would be a good start in terms of policy under the control of the local government, the ACT Government, which could make a contribution to reducing increasing greenhouse gas emissions.

Mr Speaker, another one which is a constant source of concern to me is the enthusiasm with which our ACT Government-owned energy company, ACTEW, waxes lyrical whenever we have a cold year and the electricity consumption goes up, because it is fantastic for their bottom line and their profits go up. Of course, I would be the last one to complain about ACTEW making a profit, Mr Speaker, but there has to be something intrinsically wrong with the system where we think we have had a good year when we burn more greenhouse gases and consume more electricity. We should not regard that as a good result and we should be looking at strategies whereby ACTEW Corporation can derive income from actually getting people to consume less electricity rather than more electricity.

At the last election, we had among our policies a policy of ACTEW using low interest loans as a way of encouraging people to purchase energy-saving technologies. I think that is a positive way.

Mr Moore: Why not put it up and we will support it?

MR WHITECROSS: It is up to ACTEW. But the point is that it is something that would make a positive contribution on greenhouse gas emissions, and we need to do more things like that. Mr Moore is volunteering to implement another one of our policies. I will talk to him about that later. Mr Speaker, we need to do more things like that which are proactive and creative and where we can at our local level, the ACT Government level, make a contribution to this issue. I commend the motion. The exercise of identifying what our emissions are and then setting targets is obviously a good one for us to engage in and a positive step forward. I commend the motion.

MR MOORE (5.28): Mr Speaker, I would like to rise and congratulate Ms Tucker on putting up this motion. (*Quorum formed*) Mr Speaker, it is a change to have a few Government members in here. The exception is Mr Kaine, who, of course, has been here keeping an eye on the fort.

I rise to support Ms Tucker's motion. I think it is an important issue and one that our Federal governments, particularly our current Federal Government, should feel very embarrassed about. If I were a Liberal member sitting in this chamber I would be particularly embarrassed about my Federal colleagues, which could well be the reason, Mr Speaker, why, apart from yourself, there have been hardly any Liberal members here. Even now, Mr Speaker, we see a discussion going on amongst the Liberal members, who should really be embarrassed about the way the Federal Government has acted on this issue. I would not be at all surprised if Mr Humphries were to write to his Federal counterpart and say that the ACT ought not be the only ones that are implementing the sort of strategy that Ms Tucker has mentioned.

Mr Berry: You would not be surprised; you would be shocked.

MR MOORE: Indeed, Mr Humphries is sitting there quietly. Mr Berry says, "You would not be surprised; you would be shocked". But it would be a nice, although shocking, experience to have Mr Humphries jumping into action; not only recognising the import of Ms Tucker's motion and accepting it on behalf of the Government but also writing to the Federal Government and saying, "Why do you not actually make a proper effort to meet these targets, instead of wimping out in the way that you have been doing?". Mr Speaker, I think that, by putting this motion before us, Ms Tucker has, indeed, provided some guidance to the Government on a very important issue about the sustainability of our environment.

MS TUCKER (5.32), in reply: I thank members for their support for this motion. I would like to just clarify something, though. I think Mr Humphries seems to be under the impression that we have a review occurring at the moment because of what he thinks might be the results of the national greenhouse inventory.

Mr Humphries: I did not say that.

MS TUCKER: Right. I just want to clarify why there is a review occurring. It is really because of the change of the Federal government; that is why the national greenhouse response strategy is being reviewed at the moment.

The other issue that I would like to clarify is that targets were set internationally to reduce greenhouse emissions before there was any inventory. The reason that targets are set is to actually address the whole issue of climate change. You set the target and then, as a result of that target being set, which was basically a commitment to confront the huge problem of climate change, a whole lot of initiatives resulted around the world. Some of those initiatives included an inventory; a national inventory has actually been put together. Once you have the inventory, you can then develop performance measures to see how you are going in reaching your target. I did just want to clarify that before the end of the debate. Otherwise, I am very pleased, I repeat, to have the support of all members for this motion. I hope we will be able to work cooperatively to actually set those targets.

Question resolved in the affirmative.

TENANCY TRIBUNAL (AMENDMENT) BILL 1996

Debate resumed from 27 March 1996, on motion by **Mr Moore**:

That this Bill be agreed to in principle.

MR HUMPHRIES (Attorney-General and Minister for Consumer Affairs) (5.34): Mr Speaker, I rise to indicate that the Government will not be supporting the Bill which Mr Moore has put before the house. He has proposed a short piece of legislation which effectively has the effect of backdating the effect of part of the legislation that was carried in 1994. He has also foreshadowed an amendment, which is considerably longer than the legislation itself, designed to address the problem which I raised, I think, on a previous occasion, namely, that the legislation had the effect of making illegal action which, before this legislation would have come into force, previously had been legal; and it would be most unfortunate if that were to have been the effect of his legislation. But he attempts, I think, to pick up that matter. I will certainly support his amendment, if he gets the chance to put it. I will also indicate, however, that the Government does not support the legislation as a whole.

Mr Speaker, the Government does not oppose the legislation because it takes the view that the issues raised are not necessarily appropriate or that there may not be an issue of bringing within the ambit of the legislation some tenants who at the moment are not protected and who deserve to be protected. It is my view that the Assembly took a large step in 1994 by enacting this Tenancy Tribunal Act and creating the capacity for a whole series of actions in the marketplace, which were previously not covered appropriately, to be covered now by both the legislation and a code of practice under the legislation to regulate the relationship between landlords and tenants. The code of practice, I am convinced, has had a major impact, particularly on the relationship between landlords and tenants. No doubt it is because of that that Mr Moore is putting forward the proposal that the code should cover a larger number of people than it presently does. I applaud, to some extent, the sentiment behind his Bill.

However, Mr Speaker, I indicate to the Assembly that I have great concern about any proposal which effectively changes the commercial relationship between parties in the ACT marketplace after those parties have entered into that relationship, when the conduct concerned is now treated differently by a piece of legislation to the way in which it was treated before. That remains the impact of Mr Moore's Bill - to change the way in which the law views particular things which have occurred in the past. Mr Speaker, I think that is a concept fraught with some risk, if I might put it in that neutral way.

I indicated when the original legislation was being debated that the view of the Liberal Party was that the legislation should be allowed to operate for a period of time, and then an appropriate and consultative mechanism should be used to review the legislation to see whether it had achieved its goals and whether it could, after that period of operation, be made to work better by some improvements or amendments.

The period we stipulated originally for that review was six months. We were in government six months after the legislation came into effect, but it was the view of the Government that, since at that point no matters had yet reached the Tenancy Tribunal for a full hearing, it was premature to have a review.

The Government a little later, in fact, set up the working party on the Tenancy Tribunal and the code of practice, which is at the moment meeting on a regular basis to consider ways of improving the legislation and the code of practice. I have attended one meeting of the working party. I am in constant contact with members of the working party about issues being raised there. I have had correspondence with Mr David Crossin, the chairman of the working party, about raising issues of concern to members of the working party. One of those issues was the availability of mediators as a way of resolving particular disputes which were heading up the line towards the Tenancy Tribunal. I was pleased to be able to appoint some additional mediators in order to assist the resolution process. Nonetheless, the main task before the working party lies ahead of it. Although it has met on a number of occasions over the last six months or so, it will certainly be meeting until the end of this year to sort out those matters.

I would like the progress to be faster. I was faced with the decision, at the outset of the working party's life, as to how large the working party ought to be and who ought to be represented on it. I had appeals from a large number of organisations for the right to be represented on it. I eventually decided, on the whole, those sorts of organisations that should be entitled to representation and that the number of landlord-based or landlord-favouring organisations and tenant-based or tenant-favouring organisations ought to be exactly the same. That is, I think, Mr Speaker, what we have achieved. However, I acknowledge that, as a result of that policy, the body is rather large and it is going to take some time to reach a concluded view about reform to the Tenancy Tribunal Act and the code. That means that there will need to be consideration as to what to do about those people who claim that they are not caught by the code at the moment.

Mr Speaker, I have had a lot of contact with people who are concerned about the behaviour of landlords in the city, and I have had the chance to discuss those issues, both with the tenants and with the landlords themselves. I remain of the view that legislation will be successful only if an environment is created in which a dialogue can exist between landlords and tenants to be able to sort matters out; hence, the desire to appoint mediators to bring people together at an early stage of legal proceedings to deal with those sorts of problems. A number of matters have been moving towards a hearing and, in fact, a number have been heard already by the Tenancy Tribunal. I have no doubt that there is a large number of cases that are yet to be heard. I do hesitate, in the present environment, to effectively increase the number of people who are covered by the code and the legislation itself, firstly, while the process of reviewing the code and the legislation is going on; and, secondly, after the legislation has been enacted and we have made a commitment to the community to see how well it works before we change it.

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Mr Moore is quite certain that he has a formula which is going to solve the problems of those people who are not yet covered by the legislation.

Mr Moore: Everything that will assist small business.

MR HUMPHRIES: That may be; but it is also potentially unfair to change, retrospectively, the arrangements which landlords and tenants have entered into. That is the case, retrospectively, in order to achieve a larger goal for operation of the legislation. I do not think that is wise or sensible. This very issue was debated when the legislation was put forward originally by Mr Connolly. Mr Moore moved an amendment which is probably identical to the one which he puts forward today.

Mr Moore: Very similar.

MR HUMPHRIES: Or at least very similar. The Assembly considered the issue and voted against it. I do not believe that anything has changed since then to alter the fact that there needs to be consideration of what we have achieved so far before we widen the net of the legislation.

Mr Speaker, I do not think there is any doubt that legislation like this has been necessary because there has been a large number of cases of what I would describe loosely as harsh and unconscionable conduct by landlords in this city. I do not think it is inappropriate to make reference to the fact that the Government has been active in the Tenancy Tribunal over the last year and a half to impress on landlords, in particular, that the legislation is there; it has to be allowed to operate; and attempts by the landlords to circumvent the effect of the legislation will have to be resisted by the Government. The Government intervened in proceedings before the tribunal, I think late last year, to prevent a decision standing which would have - this is the famous comma incident - ousted the jurisdiction of the tribunal in a number of matters. The Government, of course, moved quickly to insert the comma in the legislation and applied that retrospectively to the date of passage of the legislation so that those tenants were able to proceed with their actions in the court.

Similarly, when one particular landlord - the landlord of a large mall in the city - decided that it would take another step to oust the jurisdiction of the court, arguing, as I recall, that any tenancy entered into before the beginning of the new legislation on 1 January 1995 had to be excluded from the legislation, we went to the court and argued that that legislation should not be ousted in those circumstances. We succeeded. We have, in addition, attempted on a number of occasions to organise settlement arrangements for disputes between landlords and tenants in the Territory, particularly those in major town centre malls which have been, unfortunately, the source of a number of problems between landlord and tenant.

Mr Moore: This legislation would resolve such disputes.

MR HUMPHRIES: No; this legislation does not resolve all the problems. The process of mediation of disputes is also an important way of doing that. It is facilitated by but not dependent on the legislation. I took the step in the middle of last year of naming Lend Lease as a landlord which had been unable to resolve its disputes with its tenants.

As a result, I had a meeting with Lend Lease and they expressed their desire to resolve their disputes with their tenants; and I will say, Mr Speaker, that Lend Lease has substantially achieved that goal since I named them on the floor of this house. They had, I think, a number of problems. They have, if not totally resolved those problems, all but resolved those problems through a process in which the Consumer Affairs Bureau was involved and which I think the tenants in Woden Plaza would feel has been just and fair to them. At least that is the impression I gained from my own discussions with some of them.

Mr Moore: So why do we need a tribunal at all?

MR HUMPHRIES: Because some disputes are not resolved in that forum; such as those involving, at the moment, tenants at the Tuggeranong Hyperdome. Mr Speaker, the landlord at the Hyperdome is Leda. Leda is a company which has had a number of problems with tenants in the Hyperdome. I had proposed a similar process of dispute resolution which had been initiated by the Consumer Affairs Bureau in the context of the Hyperdome tenants, and those tenants were anxious to engage in that process. Initially, Leda were reluctant to have involvement by the people from the Consumer Affairs Bureau. They have subsequently accepted that involvement as appropriate and are now in the process of engaging in that kind of direct dispute resolution process.

Mr Osborne: It is too late; they have shut them down and put them out.

MR HUMPHRIES: Mr Speaker, let me make this point: Mr Osborne seems to think that we need to pass this legislation for those tenants to be able to get the benefit of the legislation. That is not true. Those tenants are now before the tribunal; they are already part way down the process. Mr Moore's legislation will not facilitate any greater access to the tribunal. The people we are talking about - and you should check this out - are the ones who obviously have not initiated proceedings because they do not feel that they can be part of this process. I assume Mr Moore says that there are lots of those sorts of people out there. I have to say that I have not actually seen many of those people.

Mr Moore: Do they not like going to your office, Gary?

MR HUMPHRIES: Lots of other tenants have been to see me, Mr Moore, and have discussed these issues with me. I think I have indicated in more than clear terms - - -

Mr Moore: They have given up on you, Gary.

MR HUMPHRIES: Mr Speaker, I do not mind a few interjections, but this is just a little much. We have taken the trouble to indicate clearly, from the outset, that we will protect the interests of tenants in these circumstances. My message in these areas has been unambiguous; on every occasion when I have been asked to intervene I have acted on the side of tenants. I have acted on the floor of this place to name a landlord who was acting unconscionably, in the view of the Government, and I will do so again when the circumstances warrant it. I believe the suggestion, which I think Mr Moore was trying to make, that we are actually not particularly keen to protect the interests of tenants is just not true.

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Mr Speaker, I will continue with that policy, because I believe that those sorts of steps are likely to produce a responsive attitude by landlords in the Territory - a combination of carrots and sticks, if you like, to resolve disputes. Even with the best will in the world, if people need to resort to the Tenancy Tribunal to resolve every dispute they have, we will have failed to facilitate an environment in which those disputes do not arise, because hearings in the tribunal are costly and time consuming and do not happen over a short period of time. There must be other mechanisms. Those mechanisms principally revolve around an environment of fair negotiation and fair dealing between landlords and tenants and an environment in which mediation is used readily and accessibly to make sure that disputes are resolved.

I stand very much behind those first two steps as a way of resolving these matters, and I also stand behind those tenants who seek to have access, under the other arm, to the Tenancy Tribunal. That is the result of my actions so far in these disputes. As I said, it has been to intervene in every case on the side of the tenant to facilitate jurisdiction by the Tenancy Tribunal, and I will continue to do so. I have met with both Lend Lease and Leda and said to them in no uncertain terms that I regard conduct which has the effect of driving down by attrition the actions of tenants to take action in the Tenancy Tribunal as being totally unacceptable. I indicate publicly today, to Leda in particular, as the landlord of the Hyperdome, that, if they do not take every appropriate step to appropriately mediate their disputes with their tenants, then the Government will continue to intervene on the tenants' side to ensure that there is access to the mechanisms in the Tenancy Tribunal and that justice is done to those tenants. Those tenants who are in dispute with Leda at the moment do not need amendments to the legislation. They are there already, Mr Speaker, and that is the point Mr Moore seems to overlook. Their access to the tribunal was challenged twice by the Hyperdome, by Leda, and we have twice been able to defend it to ensure that the jurisdiction was not ousted.

If there are other tenants who are encountering any difficulty, I would like to hear from them. I have said on a number of occasions, in fact to a number of organisations who claim we need to widen the net, "Who are the people who are not covered by the net at the moment? Where are they? Why have they not written to me or approached me and spoken to me about these problems? Other tenants have". I can list a large number of tenants in premises around this city who have come to us and talked about the problems. They approached me personally, one of my colleagues at one of our Meet the Minister exercises, for example, or the Consumer Affairs Bureau directly and asked for help. I say again that I am happy to talk to these people, to understand what it is that is missing from the present framework. Mr Moore's legislation, with respect, has more impact in the area of symbolism than it does in actually changing the climate for people who are at the present time in need of some assistance. That is my impression, anyway. If I am proved wrong, that is fine; but I have not yet seen the cases which demand the action of Mr Moore's urgings.

Mr Speaker, as I said, I have approved lists of mediators to be involved in the process of resolving disputes. That was at the urging of the working party. I have indicated that I am prepared to initiate a similar process to the ones initiated a year ago at the Woden Plaza, more recently at the Hyperdome and at the Belconnen Mall, if that is felt to be appropriate by the tenants there. I have spent a large amount of time in the last 18 months talking to tenants, both because they have come to me and because I have gone to them. I will continue to adopt that approach. I hope, Mr Speaker, that members of this place will be prepared to not undercut the work of those that we ask to assist us in a consultative way to resolve problems in the operation of legislation, a la the working party, and that they will not devalue the contribution they make by saying, "We will not await the result of your report. We are prepared to act now to decide issues which are presently within the charge of this particular working party". That is not fair; that is not appropriate. I would urge members not to go down that path. Mr Moore's legislation might well be appropriate to consider when the working party has brought down its report. If it is, I will be happy to support it then.

MR WOOD (5.54): Mr Speaker, the Opposition's interest in this matter continues at the same high level as it did when we were in government. We introduced the Act and the code of practice. That was a major step at that time. Mr Connolly reached a level of agreement on the code of practice which, of course, did not satisfy all parties on all issues. It seems to me now that, following a number of judgments, references to the tribunal are proceeding a little more rapidly than they did formerly. The point of particular interest to me is that for some time we have had under way the review of the Act and the code of practice. I am torn on this matter, in that the complexity of the issues indicates that it is a considerable task which will take some time; on the other hand, there is a need for it to proceed as rapidly as possible to bring about changes that may be needed. I hope that the Minister is able to give it every assistance so that it proceeds as rapidly as possible. There is one message in that. The complexity of the tasks that it is looking at suggests that we need the refinement that its consideration can bring; it is looking at issues in total and not looking at issues in isolation. I think we need that consideration and, with it, that refinement, so that in the end the changes that do come - and I am sure there will be some - are to the benefit of the community and do not confuse the issue any further.

MS HORODNY (5.56): Mr Speaker, the Greens will be supporting this Bill. The situation for small businesses in Canberra is serious, and there are many factors which are contributing to this. They include extended trading hours, unfair rents, expansion of trading space and the concentration of retail space in the hands of a few players. We have all heard stories about landlords pushing up rents and unfairly bringing in competitors to squeeze people out. While I am aware that there is a review of the Tenancy Tribunal Act and the code being conducted at the moment, we cannot wait until this has reported to help some of the people for whom it will be too late. The Assembly has to act now to keep businesses in this town alive. There are measures that we can put in place now, and one of these is before us today with Mr Moore's amendments to the Tenancy Tribunal Act. The Greens hope that the retail inquiry will look at a range of other measures, including longer-term measures to ensure that we are maintaining retail diversity and competition in this town. Of course, we can never prop up inefficient businesses, and those who cannot adapt to the times will have to get out. But some do not even have the breathing space to smarten up their act. There are gross inequities and distortions in the retail market.

The Tenancy Tribunal Act and the code of practice have a number of deficiencies. It is ironic that legislation that was supposed to help small retailers and reverse some of the power imbalances between landlords and tenants was watered down by Labor and Liberal voting together. Some of the problems with the code are that it has only limited application to existing leases; there is no right to renew leases; and there is no right to compensation where a landlord refuses consent to the transfer of a lease. Another problem is that disputes about multiple rent review clauses or ratchet clauses are currently not covered by the Tenancy Act if the leases were entered into before 1 January 1994. Another problem is that claims by a party to a lease that another party to that lease has breached or is breaching that lease are not covered by the Tenancy Act if the lease was entered into before 1 January 1995. The Bill and the amendments before us are an attempt to fix some of those problems.

There has been some confusion about Mr Moore's Bill and this issue of retrospectivity. After discussions with him about the confusion, he has produced these amendments which we are more than happy to support. The Greens received a copy of the Government's legal advice, and we accepted the concerns about applying the code and the Act to conduct retrospectively. I would like to clarify what these amendments are achieving and point out the areas that still need to be looked at from the point of view of equity in the retail market. Firstly, the issue of retrospectivity needs resolving once and for all. There is no question that the code should apply to conduct retrospectively, but I think the explanatory notes that Mr Moore has circulated with these amendments still might confuse the issue a bit.

The third paragraph in the explanatory notes, which is bolded, says that this amendment specifies that only if the breach of conduct occurred after 1 January 1995 could those tenants who entered into a lease prior to that time have right of access to the tribunal. This is not correct. This Bill, if passed, with the amendments, will apply the code only to conduct that occurs after the commencement of this Bill; that is, it will be prospective in operation. It will make the existing rules apply to existing leases in a way that is fair to both landlord and tenant. Where this amendment will make a difference will be in the areas of rent review, including all provisions about valuations for market rent and outgoings; for example, preventing claims for depreciation, costs and outgoings. Furthermore, the landlord will have to comply with budget and audit provisions in the code. It will also give tenants rights in relation to interference by landlords. Landlords will in future be liable for compensation for disturbances, relocations, demolitions and so forth. It will also clear up the rights of a tenant to transfer a lease and will apply the existing minimal rights in relation to seeking renewal and issues such as trading hours and relocations in shopping centres.

While these rights will now extend to leases entered into before 1 January 1995, none of these issues will apply retrospectively; that is, to conduct that occurred in the past. What this amendment is not intended to address is problems that are inherent in the code. The code still needs to be improved in many ways; for example, tenants' rights in relation to exclusivity, that is, if a tenant thinks they have exclusive rights to sell Easter eggs, for example, and then a major retailer starts selling them. There are also rights to renew and the rights of tenants to dispute excessive rents; for example, calling rent that is more than market rent key money.

It is a real hypocrisy that the Labor and Liberal parties join forces to thwart the rights of the most marginalised retailers in the ACT. It is very disappointing that both parties have done so in the past and continue to do so. A couple of months ago, the major parties once again demonstrated their lack of support for local business by failing to support the Greens' motion calling for a moratorium on the expansion of retail space in town centres. With a stagnant retail market in the ACT, we cannot keep expanding retail space in Canberra. It does not make sense economically and it does not make sense socially. While it may be a one-off hit for the local economy, it will kill jobs in the long term and will further concentrate an already highly concentrated market in the ACT.

Anyone who walks through a town centre will realise the situation is quite extreme. For example, in the Belconnen Mall there have been over 100 business turnovers on the top floor alone in the past five years. Expanded trading hours are affecting small traders in the malls, but so are the exorbitant rents and the continual expansion of retail space. I recently read an article in the *Retailer's Digest* which reported that the ACT has the highest occupancy cost rate ratio to sales, with an average of 16.26 per cent or \$975 per square metre. The centre with the highest average occupancy cost was charging some tenants up to 36 per cent of sales. For members' information, occupancy costs are defined as rents payable under lease, outgoing recoverable under the lease and, where applicable, promotion levies charged under that lease. I put it to members that if they really care about local businesses and the local economy they must support all measures that are going to help the plight of local businesses and not just the ones that they choose, and so not just ones that are politically expedient.

Mr Humphries mentioned mediators before, but my understanding is that Mr Humphries has not appointed additional mediators; rather, he has appointed additional magistrates. If there is a point to be clarified there, then I would like clarification on that point. In fact, my understanding is that there are no mediators.

MR OSBORNE (6.05): Mr Speaker, I rise in support of Mr Moore's very sensible and compassionate amendment. Having listened to Mr Humphries, the saviour of small business, the hero of the retailers within Canberra, I must admit I nearly choked. It was only a few months ago that he had them all here, his friends Norm and Manuel, sitting up the back there, churning out press releases saying that the Liberals are the real heroes, the only people that care about small business. Yet we have this stance on an amendment like this, which I think is quite sensible. Having listened to what Mr Humphries had to say, I do not think he really had any good reason not to support it, other than that he claims that we have no reason for it; we do not need it; the people, the tenants, are having no problems getting before the Tenancy Tribunal. As to what my friends on the other side are doing, I must admit that I really do not know, after hearing what Mr Wood had to say. I think you probably are a little embarrassed that you are not supporting this, are you not, Bill?

Mr Speaker, on the topic of the tenants from the Hyperdome, which the saviour was talking about, which JC was talking about, I had a fair bit to do with them. By the time they finally got before the Tenancy Tribunal, they had already been locked out; so, it did not really matter. I am really stunned, I am absolutely stunned, that the Government would not at least give people an easier passage to fight some of the leases that they are

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locked into. Just speaking about the Hyperdome, I know the majority of the people in the food court, for example, have been there since day one and have struggled while the Hyperdome has struggled. They are the ones that have paid top rent. All of a sudden, when trade picks up in the Hyperdome and some of the big franchises come in, they find that they are paying exorbitant amounts of rent while places like Hungry Jacks and a few others have been offered discounted rents. These landlords, such as Leda, have fought tooth and nail against these small operators to stop them having any right of access to the Tenancy Tribunal.

I have to say, Mr Speaker, in summing up, that I think this is a very fair amendment that Mr Moore has proposed. I am yet to hear any decent argument from the heroes of small business as to why they would not support it. I cannot wait until tomorrow when they stand up in this place and claim to be the only people in this house who really care about small business operators. I think you should be ashamed of yourself, Mr Humphries. I do not know how you can go home at night and look at yourself in the mirror. Mr Speaker, I want to congratulate Mr Moore for this amendment and the Greens for the very valid points that Ms Horodny raised. I think that the Liberal-Labor coalition is lumped together once again. I would like to know how many landlords make contributions to major parties within this Territory. I look forward to hearing what Mr Humphries has to say tomorrow when he comes out on the front foot for his friends in small business. I bet Norm and Manuel are here tomorrow, saying that they cannot get by without this. As I said, Mr Humphries, you ought to be ashamed of yourself. I will be supporting this very compassionate amendment from Mr Moore.

MR HUMPHRIES (Attorney-General and Minister for Consumer Affairs): I seek leave to make some additional remarks.

Mr Osborne: No.

MR HUMPHRIES: It will be a very short statement.

Mr Osborne: Okay.

Leave granted.

MR HUMPHRIES: I thank Mr Osborne for his change of mind. Mr Speaker, the issue which was raised and which I mentioned in my remarks was about not having heard from any tenants who claim to be ousted from bringing actions because of the existing state of the law. I think I said I have not heard from any tenants at all who are in that position. I should correct my statement. I have had a conversation with one person who runs a company in Canberra, who is both a landlord and a tenant and who has argued that he is unable to bring actions under the legislation because of the way in which the legislation is worded. Mr Moore's Bill would rectify this. But he remains the only person who is in that position. I have asked members of organisations like CARTA and the National Federation of Independent Business, who operate in the ACT, to bring other cases before me so that I can get a feel for what kind of deficiency there is in the law; but I have not been overwhelmed by those sorts of cases yet. I remain open to hear what they are, but I have not heard from them.

Ms Horodny said in her remarks that I have not appointed any additional mediators. Mr Speaker, I table the instrument which I signed on 29 June to appoint 15 mediators. Their names are: Aurelio Biurra, Tanya Brass, Tim Chadwick, Christine Harrison, Tim Johnstone, Anthony Melican, Peter O'Dea, Christine Page, David Purnell, Sue Sheridan, Val Sinclair, Tom Stodulka, Russell Whitewood, Chris Yong and Stephen Young.

MR MOORE (6.13), in reply: Mr Speaker, originally, after this debate started, I thought I would be up here wrestling with some of the major points put by the Government and the Opposition; but I am not left with anything upon which I have to refute the arguments. There is some flowery language. There is a perception by Mr Humphries that it would be far better if he had the opportunity to protect people by ministerial fiat and ministerial action. Rather than taking him on personally, small businesses can come to him, hat in hand, and say, "Minister, I need your help". Then he can say, "Yes; I am the one who will be able to help you personally to resolve this problem by assisting you in the tribunal"; as opposed to ensuring that there are in place appropriate processes that start with mediation and encourage landlords, in particular, to go to mediation because they know that people have access to a tribunal as the fall-back position. That is what this legislation did, along with the other things that were so eloquently dealt with by Ms Horodny to refresh people's minds today, because it has been some time since I introduced the legislation and presented the speech.

The original version of this legislation was considered to be retrospective,` as a code of practice was not operational until after 1 January 1995. I think that is not the case. However, recognising that quite a number of members believed that to be the case, I introduced the amendments to the legislation, circulated those and made sure that people had plenty of time to see them. But the current situation really is that such tenants can have access to the tribunal for a hearing only if they can prove that the landlord was harsh and unconscionable. Of course, to do that takes quite considerable time and legal debate. It is often too late; the business is closed. That is the major problem. The amendments that I have put up provide redress for the inequities that currently operate - perhaps not all of them, and that is why it is that I have no problem with Mr Humphries running a review of the code and a review of the legislation.

I heard Mr Wood talking about the review as though this is something that we now have to wait for. But, of course, the reality is - and Mr Humphries will readily concede this - this legislation was already under way and, I am sure, was also tabled before the review was established. At the very least, I had announced that these draft instructions were under way, and you understood exactly what I was trying to say.

Mr Humphries: We had announced the review as well.

MR MOORE: I am sure this predates any announcement you had made. Action that I was taking predated any announcement of a review. But I have no problem with a review. I think a review is important. I think that the two could run in parallel, but the review will continue even if the legislation passes. As yet, we are still not quite sure exactly what Labor is going to do, I must say, because Mr Wood's speech left open a possibility as to which way they would move. I cannot be critical of that because I have made such speeches on many occasions. We look forward to the vote.

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There was a point also raised that we ought not look at this issue in isolation. Well, this issue is not looked at in isolation. I originally moved this amendment to the Bill that Mr Connolly presented, and it was considered within the context of that Bill. I believe it is still appropriate. Mr Speaker, if this amendment goes through, the next time Mr Humphries wants to have a look at and review the effectiveness of the tribunal there will actually be some cases to assess. The most obvious reason why so few people are availing themselves of the system at the moment is that it started operating from 1 January 1995 and it is only arrangements that were made since that time that will come before the tribunal, other than the few cases that have been tested and that Mr Humphries quoted.

Mr Speaker, whatever move we can make for small business at this time would seem to be the logical move to make. Certainly, your party, Mr Speaker, going to the election, indicated that they would do what they could to assist small business. The Labor Party indicated it would do what it could to assist small business. The Greens also indicated the same thing, and I have done the same. This becomes a test of giving assistance to small businesses who are in conflict with, in the vast majority of cases, big businesses in this Territory. That is not to say that all landlords are big business and that all landlords are terribly voracious or are acting inappropriately. Of course, the vast majority are acting appropriately, and the vast majority of tenants are acting appropriately.

But when it comes to a situation of conflict there is a significant imbalance of power, and the legislation put up by Mr Connolly in the last Assembly addressed that imbalance of power substantially. I believed at the time it needed finetuning, and I think it needs that same finetuning at the moment to ensure that that imbalance of power is appropriately addressed. That imbalance of power will be addressed appropriately when both parties are willing to go to mediation and have a reasonable opportunity to have that mediation work. When one party is well and truly in power, what is the point of going to mediation? You can be comfortable about going to mediation because you know you are not going to concede anything anyway, and that is a reasonable process. I commend this legislation to members.

Question put:

That this Bill be agreed to in principle.

The Assembly voted -

AYES, 4

Ms Horodny
Mr Moore
Mr Osborne
Ms Tucker

NOES, 13

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

Question so resolved in the negative.

ADJOURNMENT

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

That the Assembly do now adjourn.

Liquor Trading Hours

MS FOLLETT (6.24): Mr Speaker, during this debate I would like to clarify some points that were raised in a question asked by Mr Osborne of Mr Humphries during question time yesterday in relation to liquor trading hours in New South Wales. I would like to clarify the situation because I think members who were relying on the question time response may have got the wrong idea. The New South Wales Minister for Gaming and Racing did, indeed, put out a press release on 31 August 1996. In that press release Mr Face announced the terms of reference for what he called a comprehensive review of late trading hours of licensed premises in New South Wales. Mr Face notes that he is beginning a submission process for this review. The submission process opened on 1 September 1996 and closes on 29 November 1996.

The press release outlines the four terms of reference for the review. I think I should say at the outset, Mr Speaker, that Mr Humphries quoted, in an extremely limited way, from Mr Face's press release. There are, in fact, four terms of reference. They are, first of all:

To consider relevant measures that will address alcohol-related violence and anti-social behaviour associated with late night/early morning drinking at licensed premises.

The second is:

To consider the desirability of requiring registered clubs (which currently do not have their trading hours limited by the Registered Clubs Act) to be subject to controls on their trading hours ...

Thirdly, Mr Speaker, and this is the important term of reference:

To consider the merits of changes to the law which would see the current 24 hour trading provisions tightened, including the merits of introducing a limit which (for example) would see all premises required to close by 2 am, 3 am, 4 am (or some other specified hour).

I repeat, "To consider the merits" of that, Mr Speaker.

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Fourthly:

To consider the merits of strengthening the powers of Local Councils within the licensing laws.

Mr Speaker, in his answer to Mr Osborne's question, Mr Humphries gave the clear impression that the New South Wales Government had, in fact, moved to a restrictive regime. He said in part:

I am aware that the New South Wales Minister for Racing and Gaming, Mr Face, only last weekend - very well timed, I would have thought - foreshadowed a 2.00 am closing time.

Mr Speaker, Mr Face has done no such thing, and I think it is extremely misleading of the Minister to put forward that point of view. I say again that what the New South Wales Minister has done is put out, for comprehensive consultation, a document which has four terms of reference, all of which he will, in due course, consider the merits of. I also note in Mr Face's press release, Mr Speaker, that the areas that he has referred to include places such as, as he says:

Albury, Kempsey, Wagga Wagga, Grafton and Goulburn.

Nowhere in the press release has Mr Face referred to metropolitan Sydney, let alone Kings Cross; and nowhere in his press release has he actually referred to anywhere within his own electorate, which, as I recall, centres on the Hunter region, in particular Newcastle. For Mr Humphries's and Mr Osborne's benefit, I believe that a little information is a dangerous thing. I seek leave to table the full text of Mr Face's press release.

Leave granted.

Liquor Trading Hours

MR HUMPHRIES (Attorney-General) (6.28), in reply: I just want to reaffirm one thing, Mr Speaker. I do not think I heard anything in that comment by Ms Follett, quoting Mr Face, that contradicted what I said yesterday to the Assembly. Clearly, Mr Face and the New South Wales Government are reconsidering their position. If they move away from what they have now, they must move towards a restriction - - -

Opposition members interjected.

MR HUMPHRIES: They are very nervous, are they not?

MR SPEAKER: Order! You will not drown people out by these inane interruptions.

Mr Wood: They do it all the time.

MR SPEAKER: I know. Both sides do it, and I have had enough. If people are going to start getting tossed out, I will be even-handed, I can assure you.

MR HUMPHRIES: It is very sad, Mr Speaker, that those opposite hate to think that their very peculiar views - that there is perhaps no link between the service of alcohol and other problems associated with the abuse of alcohol in our community - are not shared by their colleagues in New South Wales. I accurately quoted Mr Face in pointing out the link between those things. Mr Face did say - and Ms Follett can quote the rest of the things she did not quote today - that, in his view, there was potentially a link between those things. Mr Speaker, I think Ms Follett and her colleagues ought to accept that there is a real need for us to take this trial further, to see whether there is an application of these trading hours restrictions in the ACT, and that is exactly what we are doing.

Question resolved in the affirmative.

Assembly adjourned at 6.30 pm