



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

7 May 1997

7 May 1997

Wednesday, 7 May 1997

Pauline Hanson publication.....	1011
Questions without notice:	
Public Service - youth employment	1042
Business bankruptcies	1044
Acton Peninsula - demolition of buildings.....	1045
Public education funding.....	1049
Employment growth	1051
Accommodation tax.....	1052
Public Service - redundancy pool	1053
Commonwealth funding cuts.....	1056
Youth employment	1057
ACTEW - payments to Government	1058
Capital works	1061
Tindinbilla Nature Reserve - road upgrade	1063
Employment growth	1064
Totalcare Industries - chief executive	1064
Papers	1065
Crime and safety concerns of older persons	1065
Planning and Environment - standing committee	1067
Land (Planning and Environment) Act leases (Ministerial statement).....	1067
Social Policy - standing committee	1068
Questions without notice: Employment growth.....	1072
Planning and Environment - standing committee	1072
North Canberra - B1 planning zone (Ministerial statement).....	1076
Planning and Environment - standing committee	1076
Mitchell Waste Disposal Station	1080
Acton Peninsula - demolition of buildings	1082
Landlord and Tenant (Amendment) Bill 1997	1097
Adjournment	1103

Wednesday, 7 May 1997

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.

PAULINE HANSON PUBLICATION

MR WOOD (10.33): Mr Speaker, I move:

That this Assembly rejects the views expressed in Pauline Hanson's publication, the so-called "One Nation" (Pauline Hanson - The Truth). We assert the strength of Australia as a diverse and tolerant nation seeking reconciliation with its Aboriginal and Islander citizens.

Late last year this Assembly unanimously supported a motion proposed by the Chief Minister which was a positive expression in support of multiculturalism and reconciliation; it was a motion supportive of an open and tolerant society. But I think the time has come to be more direct and to aim our criticism specifically at Pauline Hanson. That earlier motion made no reference to that Federal member. I think it is time that we did so.

This motion that I move is in response to the book which has recently been published, with, I understand, a run of only 1,000 copies, and which is now difficult to get, not simply because - - -

Mr Moore: I think there were about 950 too many.

MR WOOD: That would be right. It is now difficult to get, not simply because of the low number published, but because there appears to be some hesitancy on the part of the publishers to reprint it and to make it available. I have read it, and other members have had the opportunity to read it, courtesy of a copy from the Commonwealth Parliamentary Library. I suppose there is some element of truth in that book, and that element is only the truth revealed of Pauline Hanson and of her backers. It is a strange book. It is a book which includes a number of articles, speeches and the like by Pauline Hanson and a further series of articles by unnamed backers. But, clearly, since it displays Pauline Hanson on the cover and is about Pauline Hanson, it has her support. It is pseudoacademic in its approach and in the articles by people unnamed, other than Pauline Hanson. I believe the views expressed by Pauline Hanson and by persons with no depth of knowledge and no wisdom are views of resentments and prejudices.

7 May 1997

My initial view of Pauline Hanson, when she first emerged, was that she was simplistic and very narrow in her thinking. This book confirms that. But the book also shows that the notions expressed and the support she is gathering are dangerous; they are reactionary; they are divisive. Pauline Hanson said in the book:

I know in my heart I'm not a racist.

She has often said that. But I do not think that case can be sustained. All the expressions show otherwise. She also said:

I worked hard for my land. No one gave it to me.

Her former husband may dispute that. But I do not deny that Pauline Hanson would have worked hard. She ran a small business, a fish and chips shop, and that is a reputable business to run. In that sort of small business she would have worked hard. There is no question about that. But then I think she moves into difficult territory. Let me quote directly another comment she made in one of her speeches. She rejects "the privileges Aborigines enjoy over other Australians". That is a source of resentment. Then why did she not say something different? Why did she not say something about recognising the disadvantages that Aborigines suffer? What privileges? Why not look at the disadvantages? I dispute her notion that she should use the word "privileges" when talking of Aborigines. Therein lies the resentment of Pauline Hanson and of others in the community. I have seen it often; I am sure you have.

Positive discrimination has long been a strong element of public policy in Australia. Let me give an example of how it can wrongly induce resentment. I was once active in politics in North Queensland and I saw the resentment aroused in some in the community when houses for Aboriginal people were built in the town of Mareeba. They were built across the way from a score of small cottages which were built for pensioners and veterans, and which were meanly and poorly built many years before and were in a very sad state. Quite rightly, something should have been done about those cottages. But the resentment amongst some in that community about the apparent disparity between the Aboriginal housing - new and fine - and the pensioners and veterans cottages was disturbing. I had trouble convincing people that this positive discrimination was necessary. It has long been a basic part of Australian society that positive discrimination recognises that we must fight to overcome disadvantage. That is what Pauline Hanson and some in the community resist.

While Pauline Hanson resents "the privileges Aborigines enjoy over other Australians" - they are not my words; they are hers - she takes no account of the privileges she and other Australians enjoy. She takes no account of our nation's history of overthrow of Aborigines and many decades of neglect of them. Let me give you another quote direct from her papers:

I draw the line when I must continue paying for something that happened over 200 years ago.

That is very illuminating. But, to Pauline Hanson, the Aborigines can continue to pay for something that happened 200 years ago; they can continue to pay for it, suffer and stay in the dreadful state they were brought to. It is all so one sided. They can suffer the dispossession, the disease, the death and the degradation brought about by circumstances over which they had no control at all; and she resents that we should do anything to adjust, accommodate or change that circumstance.

Pauline Hanson says she is “opposed to discrimination in favour”, but she has no difficulty at all with discrimination against. Therein lies the racism that is so much a part of what she says. In other times, I have spent a great deal of time amongst Aborigines and in Aboriginal communities, and it is ignorant and offensive for Pauline Hanson or anyone to talk about privileges that Aborigines enjoy. That is arrant, prejudicial, racist nonsense.

She rants against not only Aborigines but also migrants and people on welfare. But if she is against positive discrimination, as she says, what about pensioners? What about the disabled? What about a whole host of other positive measures we take to help people who are disadvantaged? I do not hear her ranting against pensions. But that was a recognition, a long time ago now, that people needed help. In this country, in this century certainly, we have acknowledged that people who are in difficult circumstances, who are downtrodden, need assistance. Does Pauline Hanson talk about taking away pensions? Of course not. What Pauline Hanson wants is everything she has, that she has no doubt worked for, and every opportunity everybody else has, regardless of their disadvantage. It is the politics of envy, the politics of greed. In this book, *The Truth*, so called, there is no compassion and there is no humanity; there is only division, tension and bigotry.

Pauline Hanson is also vehemently against migration. She says:

All immigration must cease immediately.

A further quote is:

A truly multicultural nation can never be strong or united.

Well, I look at Australia. Australia is a multicultural nation, working well. I thought it was an example of strength and, generally, of unity. Pauline Hanson is trying to change that and is stirring up resentments. But I think we have to remember one thing: Polls are showing some support for that lady, for that Federal member of parliament. But I think the overwhelming number of Australians do not support her. Let us focus not on the 5, 10, 20 or perhaps 25 per cent in certain places of the polls that may at this stage indicate some support; let us focus on the up to 80 per cent of people, Australian citizens, who do not support that. Let us keep that in mind. There is a clear and large majority in Australia opposed to Pauline Hanson.

I grew up in that period of the history of Australia when it had its strongest immigration program. Of course, Australia has been built on immigration. From the day that the first European settlers came and changed the face of the nation, it has been built on immigration. In the last century people from Asia, Europe and the Americas came to Australia. Migration is nothing new. Migration in large numbers is nothing new.

7 May 1997

There is a newer element in migration - the numbers from Asia. But we have been built on it, and I can remember because I am of that age. I do not have to sit in front of the television set and watch the old film clips, because I saw them in the newsreels in the cinemas when I was young. I have a vivid memory of Arthur Calwell welcoming shiploads of European migrants. "We have to build our nation", he said. That is clear in my mind. I lived through this period, and I believe that Australia is a better, stronger, wiser nation and a mostly united nation as a result of that long migration program, and despite the fact that Pauline Hanson is now endeavouring to drive a wedge.

Beyond the Pauline Hanson media releases and speeches, there are unnamed people joining in this book. It is quite clear that the radical Right in Australia - never significant in number, though sometimes noisy - have joined in enthusiastically behind Pauline Hanson. The rhetoric is all there - "international elites", "one world government" and the like. It is all I heard many years ago when I was on the Darling Downs; it is all I heard in Far North Queensland; and it is what I hear down here. It is that old rhetoric. It is that old Butler rhetoric and the rhetoric of other people, and it is nonsense. You want to read some of this stuff. Perhaps you have. Members have had the advantage, if not for long, of access to this book. It is all that old, tired prejudicial rhetoric. The sum total of this book is the representation of an alien culture. That is what is alien - all that is in this book. It represents an intolerant, divisive and selfish culture. It is contrary to the fair go, to the care for the underdog approach, that is typically Australian. It is not part of our Australian ethos, and the Assembly ought to reject the views in this book.

MR MOORE (10.48): In speaking to this motion, I think it is most important to indicate - and I imagine this is shared by members - that I support the right of Ms Hanson or anyone else in our Australian democracy to express their own view. That is what she does and that is what she should be able to do. Indeed, Mr Speaker, part of that same right to express a point of view gives us the right to criticise her perspective as well, and that is what I would like to see this debate being about today. There have been claims that people just simply attack Pauline Hanson. If those attacks were about the way she dresses, the way she wears her hair, her size or something like that element, then I would be most critical. What this debate has been about so far has been Mr Wood expressing his view in response to what Pauline Hanson sees as the truth. In fact, I have to disagree with Mr Wood in the sense that he was suggesting that perhaps there is very little truth in what Pauline Hanson has said. I think what makes it much more dangerous is that there is a considerable element of truth in what she says. But she then takes it to the extreme, and that is what makes it dangerous.

Let me give just a couple of small examples. In the book she gives the idea that everybody should be equal and that we should give equal funding to Aboriginal people, for example, and other Australians. Unfortunately, that fails to recognise a fundamental principle, and that is that not everybody has an equal start. It is that failing to have an equal start that I have spoken about on many occasions here when speaking about public education and the need to ensure that public education is available to everybody and is of the highest possible standard, so that everybody has a reasonable chance to have the tools with which to compete in a society where we have some equality. Because we start on

a basis where people are not equal, it is entirely appropriate for us to level systems of affirmative action, to redistribute some of the wealth in this country, in order to give people who would otherwise start behind the eight ball a chance to have an equal opportunity for reasonable outcomes in their lives.

This is the part, the fundamental premise, that is missing from this sort of shallow analysis of how Australia operates. Mr Speaker, it is that kind of affirmative action that I think is fundamental to giving Australian people a reasonable chance in a democratic society. I think the danger of Pauline Hanson's ideas is that they are based on truth, because whenever somebody tells a blatant lie we can dismiss it immediately, but even our children learn very rapidly that the most effective lie is the one that has three-quarters of the truth in it. That is the real danger.

The other thing about the sorts of statements made by Pauline Hanson in her speeches and throughout this text, which I read last night, is that it is divisive. It actually sets up in Australia something that we have not had at anywhere near this intensity. It puts emphasis on a situation which says, "Ordinary Australians are missing out". We are in a situation, after 13 years of Labor government and a year or so of Liberal government, where there is widespread unemployment, where the wealthy are getting wealthier and where there is a reluctance to do what taxation is really about, namely, to redistribute wealth from the very wealthy to those who are starting on a basis that is simply not equal.

There is a reluctance, and it comes out in a whole series of things like "user pays". There is a whole range of policies which are about reducing taxation levels and which are about ensuring that that redistribution of wealth does not occur. The shallowness of what Mr Wood describes as "these pseudoacademic writings" is part of the danger that goes with Pauline Hanson. I must say that when I saw that Mr Wood had put up this motion I wondered whether it was wise and whether we should do what some people suggest and just ignore Pauline Hanson. But, if it is not Pauline Hanson, it will be somebody else.

Mr Speaker, those of us who were members of the first two Assemblies will recognise a great deal of what she says. Dennis Stevenson stood in this chamber and in the previous chamber on many occasions and said many of the same sorts of things, missed the fundamental premise, said things that were three-quarters true and then just put a spin on them that would appeal to people's uncertainty and their fear; and he used deceit to do it. We heard it so many times, and it will not surprise me one iota if Mr Stevenson turns up as part of the One Nation party somewhere. I do not think it will be a surprise to anybody else who was here when Mr Stevenson was here, having heard him speak.

We know that these ideas are the same ideas as those that you can read in the *New Citizen*, the paper of the Citizens Electoral Council which is affiliated with the League of Rights. It is hard, right-wing propaganda; it is reactionary. The worst part about it, Mr Speaker, is that it is divisive. At a time when Australia and Australians are accepting each other as people, when we are looking for reconciliation, when we are looking for affirmative action to correct inequalities, we get this sort of divisiveness. It is dangerous; but, as I say, she certainly has the right to put her perspective.

7 May 1997

It was also interesting, Mr Speaker, to read in this pamphlet some of the gun debate. It is of concern to me that, first of all, I was forced to read this. I am pleased that I was able to get it from a library, so that there was no contribution going back to the One Nation party or Pauline Hanson. In some ways, I think, "There is probably a very good reason why people do not want to continue the distribution of this text". I think anybody who actually takes time to read it carefully and think about it will very rapidly see through it and see through the shallowness of the arguments. We are in a bind, and the bind is: Do we give this woman even more coverage or do we give her less? I must say, Mr Speaker, there is also an element in this on which it is appropriate to point a finger at the Canberra press gallery. It is entirely appropriate for the press gallery to report the maiden speech of somebody like Pauline Hanson, particularly when she was putting different ideas to the public; I do not have a problem with that. But it was a feeding frenzy they went into after that. We have seen it on a number of issues, when members of the press gallery compete with each other on what they now consider the new interest; and they build somebody up.

Let me give you a previous example. The previous example was Bronwyn Bishop as a senator. Whenever Bronwyn Bishop said anything she had an extraordinary amount of coverage. In turn, she responded and fed it; until, of course, she went to the House of Representatives, when they dropped her like a hot potato. Was that the press gallery and their feeding frenzy in following one another, or was it a very sensible decision on the part of one media outlet or another? Exactly the same situation could be applied to somebody like Pauline Hanson. However, she is putting different ideas; she is putting them up for the public to consider. It is entirely appropriate, Mr Speaker, that she should be able to say what she thinks.

This brings me to a vote that I cast in this house on an anti-discrimination Bill. I supported the legislation against racial vilification. It seems to me, Mr Speaker, with the wisdom of hindsight, that it would be appropriate for us to bring that legislation back to the chamber in order to reconsider it. I think the best way of dealing with this sort of vilification is not by legislating against it but by subjecting it to the marketplace of ideas. I think that is the important point. We really have to get out to the dinner parties and say, "What is it about Pauline Hanson that is wrong? What is the fundamental premise that she is missing?". The fundamental premise is that we do not all start equal. If we all started equal, then what she is saying would make sense - it is as basic as that - and that is why it is that, in a marketplace of ideas, we have to step out there and continue the conversation as to what is wrong with what she is saying and why it is so divisive.

Mr Speaker, it was refreshing for me to have a go at an Independent today. Normally I have a go at Paul. Having a go at Pauline today has been quite refreshing. In this case, I think it is important for the alternative views to be put not just through the media but through ordinary conversations with people. Each one of us should take that with us and go out and try to explain what it is about this sort of reactionary process that needs to be dealt with. Indeed, it was when dealing with Dennis Stevenson that I began to look at these fundamental issues about missing premises, the way these arguments are created and the way they are put forward. If any member wishes to look at further issues raised by the Citizens Electoral Council, I have in my office a number of copies of their *New Citizen* which I keep to remind myself of how things can go off the rails.

I am happy to share those with members so that we can discuss these sorts of issues. It will be very interesting to see how long it is before Pauline Hanson joins the rest of the Citizens Electoral Council and comes up with that particularly antidemocratic process of citizens-initiated referenda - an issue that no doubt will be dealt with in this chamber at another time.

MRS CARNELL (Chief Minister) (11.01): I have to say that I think the comments that Mr Moore made are very sensible. There is certainly no doubt that Ms Hanson's views are developed from misinformation and from ignorance, but they are also based, as Mr Moore and Mr Wood said, on a lot of deeply held views or prejudices that many members of the community obviously have. Unless we see in our society some very real leadership to encourage people to think intellectually about what Ms Hanson is saying rather than just feel emotionally about the sorts of comments she makes, we, as an Assembly or as people in the community that have some level of leadership, at least have failed in our jobs, in my view. As much as I think Mr Moore is right in that we have to be out there at dinner parties and other places making it very clear that Pauline Hanson's views are based on misinformation and ignorance, that all people in our society do not start equal or, for that matter, finish equal and that the same level of work and input into society does not produce the same outcomes for every single person and so on, I believe, as an Assembly, we have failed.

I think the views of Pauline Hanson are certainly damaging our social cohesiveness; they are causing hurt in our society, particularly amongst Aboriginal and Torres Strait Islander peoples, amongst Asians and amongst many people who have chosen Australia as the country that they will live in. Many have taken up citizenship and had their children here. It would be a tragedy, Mr Speaker, if those views did unsettle those people, if those views did move Australia away from our region and made our region much less part of our future. I think every Federal government has realised that our future, whether it be social or economic, is in our region; it is with Malaysian, Chinese and Vietnamese people - people of Asian descent. I think that is important. I think that is something that we should embrace, not move away from.

Comments that John Howard has made about Ms Hanson are also true, but it is all very easy for somebody to stand up and play on people's prejudices or people's fears. There are a few very notable people who have done that. Adolf Hitler is probably a very good example. I am not for a moment suggesting that Pauline Hanson is the same; but, for all of that, a lot of the success of Hitler's campaign was based upon Hitler using people's fears, people's prejudices, to achieve his own ends. The only reason that he could go ahead was that there was not leadership and at that stage there was no-one prepared to stand up and say, "Hey, this is not all right; this is simply not acceptable". I think that is our role. I think John Howard is right when he says that Pauline Hanson has made comments that might play to people's prejudices, but he is also right when he says that Pauline Hanson has not come up with any ideas. She has not come up with any ideas whatsoever, Mr Speaker.

It is all very well to make the comments she has made and not say what she would do about it or how she would chart the future of our country in the region. We all know that Australia's future is with our region, but we also know that reconciliation between indigenous and non-indigenous Australians is of fundamental importance to the future of

7 May 1997

this country. In this place we have had some very good and meaningful debates about what reconciliation really means. It can be seen as a series of steps. I think the outline put together by the Council for Aboriginal Reconciliation says it all. The council stated that reconciliation is about:

- exploring, understanding and accepting the history of our shared experience;
- acknowledging that past injustice continues to give rise to present injustices for Indigenous Australians;
- discovering a common heritage together respecting Indigenous cultures and identity;
- removing Aboriginal and Torres Strait Islander disadvantage;
- participating in acts of reconciliation; and
- renewing our national identity and citizenship.

I think it embraces Mr Moore's comments that we all did not start from the same spot; we were not all born with the same level of advantage in our society. Past disadvantages can produce and have produced present but, hopefully, not future disadvantages; and it is up to Australia, it is up to leaders in our community, to get out there and make sure that the society that we want to live in, that we want our children to live in, is one that is not based on the sort of xenophobia, the sort of racial intolerance and the sort of misinformation and ignorance that I believe Pauline Hanson's book and comments are based on. But, as Mr Moore said, the problem with misinformation that catches on in the community is usually that it is misinformation with an element of truth in it; and certainly that is the case here. It is up to us, as leaders in our community, to stand up and say that it is not all right; our future is with multiculturalism; our future is with reconciliation. It is certainly not with Pauline Hanson.

MS TUCKER (11.07): The so-called Pauline Hanson debate is about putting people in boxes - boxes of colour, race, sexuality, whatever. It is obviously not about acceptance, compassion or embracing diversity. I do think the debate has been missing one important point, and I will dwell on that in my speech today. I think the Federal Government's handling of the whole affair has been appalling, and the only reason they have lifted a finger at all is apparently economic and trade impacts. I would certainly like to reiterate the comments made by Bishop George Browning that we should not have to defend a multicultural society on the basis of economics. It is much more than economics. It is about accepting that we are all different and yet all equal; all part of the same species; all deserving of equal access to good food, to quality health services, to affordable and appropriate housing, to high-quality education, to meaningful employment and to a safe environment; all deserving of clean air, water and soil; all deserving of leadership from government which will ensure these fundamental rights exist for all citizens.

Most developed countries around the world are caught up in a political ideology called economic rationalism, and this ideology is failing miserably in delivering these basic requirements. Economic rationalism is irrational; it does not take into account social and environmental factors. The result is continuing degradation of our earth's ecosystems and the continuing loss of social equity and fairness. Of course, as the gaps between rich and poor widen, as more and more people struggle to maintain or attain these fundamental requirements, scapegoats will be found; it is the logical consequence. History has shown us many times this sequence of events; yet, we still see a blind loyalty to principles of free market ideology, despite the obvious consequences. It is not good enough for governments to just condemn Pauline Hanson for representing this scapegoating. It is a cop-out unless this condemnation is accompanied by real change in government policy which addresses the underlying social issues, unless governments change policies which mean a greater percentage of wealth is concentrated in a small percentage of hands.

We are following the path of the United States. Even though the GNP of the United States grew considerably during the 1980s, three-quarters of the gain in pre-tax income went to the richest one per cent. The majority of Americans had less money and lower incomes than when the decade began. Primarily, what grew was apprehension, violence, dislocation and environmental degradation. A classic example of the blind stupidity of this rationale is this Federal Liberal Government's enthusiasm for opening up this country to the toxic industry of uranium mining and its insistence that we cannot afford to reduce greenhouse gas emissions. Paul Hawken says in his book, *The Ecology of Commerce*:

In order for free market capitalism to transform itself in the century to come it must fully acknowledge that the brilliant moments of its triumph cast the darkest of shadows.

The particular shadow of uranium mining will last for up to 250,000 years.

I cannot admit to having read Ms Hanson's book from cover to cover. Ms Hanson claims she has done research on benefits available to Aboriginals. She strings together a whole raft of claims that are simply not true. Other speakers have spoken about this. She claims that Aboriginal students get more in benefits than non-Aboriginal students; Aboriginals get cheaper housing loans; they are not means tested for services such as legal aid. All that is obviously untrue. How can anyone say that indigenous people in this country are being pampered by a recent, very belated attempt to address some of the appalling conditions facing them? I refer to cultural dislocation, the poor state of Aboriginal health, the poor state of housing, discrimination, et cetera. ATSIC as a body receives more public scrutiny than any other government agency. The state of Aboriginal health in this country is appalling. I noticed in the budget papers last night, although I did not see it actually mentioned in the Government's budget, a cut in Commonwealth funding for Aboriginal health from \$426,000 to \$291,000.

Ms Hanson also cites America as an example of a country paying the price for multiculturalism. As I have already shown, it is the country paying the price for lack of emphasis on equity. It is very dangerous and divisive to be spreading this kind of misinformation, as other members have said. There are also a lot of obvious inconsistencies in the arguments that are being spread. For example, on one hand,

7 May 1997

Ms Hanson attacks foreign aid and calls for it to be abolished; on the other hand, she calls for a halt to immigration. Ironically, Bob Brown was making his inaugural speech to parliament on the same day as Ms Hanson was making hers. I was interested to see, as Mr Moore pointed out, the media was very interested in Ms Hanson's speech but not in Bob Brown's. It would have been a wonderful opportunity to actually compare the two speeches given on that same day, because of the total difference in the world view that was demonstrated by those speeches.

In his speech, he highlighted that if we cut out all foreign aid, particularly foreign aid targeted at assisting women to gain control of making their own decisions about childbirth, surely the end result can only be more people trying to come to Australia. One of the most effective ways of assisting women to gain control over their lives, particularly as far as reproduction is concerned, is appropriate aid. The irony about Ms Hanson's argument is that if we cut off foreign aid altogether we are more likely to get a flood of people coming to this country because of population and resource pressures. As Bob Brown pointed out also, the number of environmental refugees alone is growing very rapidly, and there are already 50 million such people. Another irony is that 100 years ago women were viewed as an underclass or minority group in our society. The only reason Ms Hanson has the opportunity to be in parliament today is that women struggled for that right to be representatives, even though they were very strongly criticised at the time. I wonder whether she would have been one of the women who condemned the suffragettes as radicals who were threatening to destabilise society and so on. There were a number of women who were very strong opponents of the suffragettes.

Having said that, I must say that Pauline Hanson is correct when she says the bipartisan support for economic rationalism has left a negative impact on the community. It is equally correct to criticise Mr Howard for his lack of a strong stand against the misinformation which has come from this book and from Pauline Hanson in the time that she has been an elected leader. Leaders in the community have an obligation to show leadership on these important issues, and it is a very disappointing response from the Federal Liberal Government. We all know that a small piece of misinformation can become completely distorted, particularly in this age of mass communications. Do we want a divided country or do we want a country where people work together, not against each other, to find solutions? In fact, the whole debate about political correctness has been completely manipulated by Mr Howard for political ends. If political correctness means that the voices of people who have been discriminated against or denied access to basic services or the same opportunities as everyone else are now being heard, then that is hardly something to be criticised.

Noel Pearson spoke last week about how the Federal Government is assisting with the creation of division in our society. He did not place as much blame on Ms Hanson as on the Liberals, because he said the subliminal message behind their campaign "for all of us" was to drive a wedge between groups in society. The stupid thing about the argument is that, once you single out Aboriginal people, women, gays, environmentalists, anyone else who is not of Anglo-Saxon background, then what is left? What is mainstream anyway? Noel Pearson described what has been going on over the past 16 months as a US-style "wedge politics", trading off resentment of one group against other groups in our

community. If this Government was fair dinkum about creating an Australia “for all of us”, they should be focusing on the growing gap between the rich and the poor. People in Australia are rightfully fearful about their future; they are concerned about high levels of unemployment. What our leaders will not stand up and say is that it is their economic policies that have led to the unacceptably high state of unemployment and erosion of economic security because we have been selling everything off and pursuing economic policies that are not bringing social or environmental benefits to most of the community.

Unfortunately, people from different cultural backgrounds, Aboriginal people and Torres Strait Islander people are easy targets; but, sadly, they are being manipulated by this Government which finds it a convenient distraction from the main game, which is finding a sustainable future for all Australians. We need much more focus on equity in our society. Inequity and economic irrationalism are the single biggest cause of creating a divided community, not what colour or sexuality you are.

MR CORBELL (11.17): Mr Speaker, Pauline Hanson is a dangerous and divisive ideologue, and for that reason I believe it is important that this Assembly today state very clearly our opinion of the views that she is currently promoting within our community. This Assembly has to demonstrate leadership. We are elected as representatives of the people of Canberra to represent their views and to govern on their behalf. I think on this issue it is fundamentally important that we state clearly our views and, I hope, our overwhelming opposition to the views that Pauline Hanson has promoted. What Pauline Hanson does is promote divisiveness and hatred within our community, and the role of an elected representative is not to do that. We are here to help bind our community together; to make it a better place in which to live; to make it a fairer place in which to live; to make it a more peaceful place in which to live. When an individual goes out and deliberately spreads misinformation and innuendo for their own political purposes, they create divisiveness; they create hatred. That is what Pauline Hanson is doing. We, as an Assembly, have to reject that divisiveness.

What Pauline Hanson does, Mr Speaker, is this: She says that anyone who does not look like she does is to blame for the ills of society; anyone who does not speak English as their first language, anyone who does not have an Anglo-Saxon background, anyone who has not been in Australia for more than goodness knows how many years is to blame; immigrants are to blame; Aboriginal people are to blame; people from any different social background to hers are to blame. That is a horrible, misleading, divisive and hateful thing to say. But what we have to examine, as Ms Tucker raised earlier, is this: Why is she able to capitalise on her views and tap into the discontent and the feelings of insecurity that exist within our community? She is successful because people are willing to accept simplistic solutions to complex problems, just like they were able to accept a simplistic solution for a complex problem in post-World War I Germany - a breeding ground of mass unemployment, high inflation, disillusionment and a complete lack of social security. That is the same situation as we are beginning to encounter in Australia today. We are encountering it because of unemployment; we are encountering it because of homelessness; we are encountering it because people fear for their jobs; they fear for their future. Political parties of all persuasions have failed so far to adequately address these concerns.

7 May 1997

My own party, I would have to say and concede, has contributed to those concerns that people express. The existing parties in government, both within the ACT and federally, have done likewise. That is a sad indictment, but it is true. People see political parties adopting policies which have meant less job security, which have meant higher unemployment and which have created a sense of insecurity within our community. We need to address those things; we need to accept that as a society we have an obligation to put people first.

What also needs to be addressed, I think, Mr Speaker, is the Prime Minister's and the Federal coalition's failure to tackle the views of Ms Hanson from the very beginning. Only now, when there seems to be concern about how successful she is, how popular she seems to have become and the threat that poses to the coalition's standing in the community, have Ministers started to speak out. Mind you, the Prime Minister still seems the most reluctant of them all. But the reality is that Pauline Hanson will not go away. We cannot hope that her bubble will burst because, unlike other people who have been created on a wave of media attention, such as Bronwyn Bishop, she is tapping into something far more deep-seated within our community. She is tapping into fear and insecurity, and we need to address that. We need to put the argument that the views put forward by Pauline Hanson are hateful, divisive and simplistic and will not solve the problems that face our nation today. That is why this motion is so important. This motion says that the elected representatives of the people of Canberra reject the views of Pauline Hanson and reject the divisiveness and the hatred that she propagates in our community.

Reconciliation, Mr Speaker, has continued to grow as an issue within our society, and the views that Ms Hanson promotes on reconciliation I find distasteful - completely and utterly distasteful - because she suggests that what happened to the Aboriginal people of this nation is not our responsibility collectively. She suggests that these people - the Aboriginal, indigenous people of this nation - did not own the land, did not have a relationship with the land and did not recognise how important the land was to them for their communities and that, overall, we can ignore what happened to them following European settlement in 1788.

The facts are that they were massacred; they died of disease brought with European settlers; they were dispossessed of their children; they were removed from their settlements; it was attempted to forcibly amalgamate them into our society. It is wrong to deny that happened. It did happen. These people were disenfranchised for over 150 years following European settlement. Aboriginal people were disenfranchised; they could not even vote. We did not even recognise them in the census. They did not exist. It has been only in the past 40 to 50 years that we have started to turn around those attitudes.

We have a lot more work to do; we have a lot more things to say to people like Pauline Hanson, such as that views that are simplistic and attempt to blame others because of the colour of their skin or their background are wrong. This motion is one step in achieving that. We all, as representatives, have to go out and talk to people and explain to them that the solutions that Pauline Hanson promotes are simplistic; they will not work; and they create an ever more divisive and intolerant society. I know that is something that none of us in this Assembly want to see.

MRS LITTLEWOOD (11.27): I would like to commend Mr Wood for having brought this matter forward today, as I think it is terribly important, and I think it is important that we have some comments on it. Like Mr Moore, I believe that people have the right to free speech, and I will defend their right to speak irrespective of how ridiculous that may be. I do not wish to make any political points today. Really, I wish to send a message to the community of Canberra and, I suppose, the community of Australia who are non-English-speaking and non-Anglo-Saxon.

As members of this house may be aware, I spent my formative years growing up in a town which I believe was probably the first multicultural town in Australia, Cooma. It grew like that from the Snowy Mountains scheme. I went to school with people from every nation around this world and I appreciated what they had to offer. I very much appreciated being part of their community, as well as them being part of mine. I believe it gave me a much broader understanding of the world and some of the problems. At a young age, even though I had not travelled overseas, I felt I knew far more of the world because of their input. I very much appreciate what our migrants have done for this country. I really admire their courage in leaving their country of origin and coming to a completely foreign place, without having our language, without our customs, and many other things that confronted them when they arrived.

To the members of our community who fit within that category, I really would like to say this: I appreciate you and I hope that what is happening with the Pauline Hanson debate is not impacting on you too dramatically. I am quite sure that the majority of Australians do not hold that point of view. I suspect that some of the polling, rather than having a racist component, may indicate a frustration at previous political correctness. I do hope that our ethnic community and our Aboriginal community hang in there and really do take some heart from what is being said here today.

MR OSBORNE (11.29): I will be brief this morning, but I would like to leave no doubt about my opinion of Pauline Hanson and her One Nation party. Mr Speaker, I believe that Ms Hanson is a dangerous racist imbecile. Her political ideas are repugnant and her supporters are badly misguided. In spite of Ms Hanson's protests to the contrary, there is no doubt in my mind that she is a racist. Having quickly skimmed through this book, I think it proves it. On page 77 the question is asked, "If racism is such an evil, why did God create races?". This is the same kind of vile and poisonous thinking that fooled whole societies into supporting slavery and cultural genocide in the past.

Mr Speaker, I am a proud Australian and I firmly believe that Australians are, on the whole, among the most tolerant people on earth. The fact that we have managed, until recently, to be home to so many diverse cultures without falling into the ethnic violence that typifies so many nations is proof enough of that. I appreciate the easygoing tolerance of the currency lads and lasses and the vibrancy and goodwill of the many cultures that have joined us at all stages of our development, but in greatest numbers since the Second World War. I also believe that we owe the traditional owners of this land no less respect than we demand for ourselves. After all, it was their home first.

7 May 1997

Mr Speaker, I believe we can be proud of our history, but that does not mean we should hide those parts of it which are difficult or even shameful. I think it is the test of our courage as a nation if we have grown large enough to stare our failures in the eye. The lessons from our past teach us that if we fail to protect the rights of the weakest among us we fail the most fundamental test of a just society.

As a local politician, I am mainly interested in simple issues like making sure that the garbage is collected, that there are good enough schools for our kids, and that we live in a safe community; but, as a citizen of Australia, I have watched the Hanson saga progress with a great deal of sadness because I believe she is misleading many good-hearted people. To me, she personifies the worst elements of the human character, and I think she is probably the most destructive politician this country has ever had. To those who are drawn by the simplistic solutions she offers I can only say, "Do you really want an Australia built on fear, hatred and envy?". I do not. In summary, Mr Speaker, if her party crawls out from under its rock at the next ACT election it will have no more vocal opponent than me.

MR KAINÉ (Minister for Urban Services) (11.32): Mr Speaker, I will be brief. I think Mr Wood today has introduced into this place a subject that ought to be a matter of paramount importance to all of us because it is not just a short-term phenomenon and it is one that can severely damage the future of this nation if we ignore it. We are seeing something that we have never seen previously in this country. What we are seeing for the first time is the politics of bias, bigotry, prejudice and hate. This country has been built on waves of migrants. Much of that migration has occurred during my lifetime. While there have been some minor frictions, by and large those various waves of migrants, from the United Kingdom, from Eastern Europe, from South America, from Asia, have been welcomed into this country and collectively have made a country that we can all be proud of.

This new phenomenon, if not nipped in the bud, is going to poison all of that good work that we have achieved over many decades. The interesting thing about this brand of politics is that it manifests itself through the medium of scapegoats. If I feel deprived, then somebody else is responsible. For the time being certain targets are in the sights. They are Aboriginals and they are Asian migrants. But, if it is allowed to continue, how long will it be before other groups are targeted? I think it is dangerous politics that we have not seen before, and we cannot allow it to continue to grow now.

What we are seeing, as some other speakers have alluded to, is the politics of racism and the politics of the extreme Right. I do not know whether Pauline Hanson is a racist or not. She says not; but, when you read what she says, the words, I think, to some degree, speak for themselves. It is clear that, either wittingly or unwittingly, Pauline Hanson is in the process of becoming a catalyst for racists, a catalyst for the extreme Right, a catalyst for the politics of hate. To me, that makes her actions unacceptable in this society which, as I have said, by and large, up until now, has been a tolerant society and one in which this kind of politics has not been manifest.

I can agree with her broad proposition that we need one nation. We certainly need one undivided nation. We cannot afford anything else. But we will not and cannot achieve this under the banner that Pauline Hanson espouses. It is divisive and it is destructive. While she has a nice title for her new party, it expresses a view that simply is unachievable using the brand of politics that she has adopted.

The question has been raised, and somebody else raised it here this morning, as to whether we should simply ignore this phenomenon in the hope that it will simply go away. I do not believe that it will, as it has achieved too much momentum to simply be ignored. It is gathering momentum every day, and it can forever damage this society and this nation if we simply ignore it. Mr Speaker, we, and all thinking Australians, must express strongly and loudly our belief that the politics of hate are unacceptable and will not be tolerated in this nation under any circumstances. Only through that loud and strong expression of public opinion, in my view, will the minority attracting themselves to Pauline Hanson's banner be overwhelmed and subdued, and if we do not express ourselves we will have failed.

MS REILLY (11.37): I feel I must start today by making a confession. I am one of those dreadful people that Pauline Hanson has so much trouble dealing with, because I spent 11 years of my working life working with Aboriginal people, helping them to access various government programs. I did things like go out and actually talk to Aboriginal people to find out what they wanted to do in relation to the other things that some of us just accept as a right; what they wanted to do in relation to getting hold of water, access to housing, access to health services, access to education.

As a community worker in the Northern Territory, one of the special jobs I had was to work with Aboriginal communities in dealing with alcohol. In a way that none of our communities manage to do, as a community they look at the devastation caused by alcohol. They work through those issues and they work out the best way of handling them within their community. We do not have the guts to actually look at the issues of some drug abuse within our own community in the way that Aboriginal people in the Northern Territory have done for many years. It is a simplistic stereotype to say Aboriginals drink a lot; you can see them. That fails to recognise the number of people in the Northern Territory who do not drink at all and who have decided not to consume alcohol at all. But these sorts of statistics are not interesting. They do not make the headlines. They do not make Pauline Hanson's book or *60 Minutes*.

It is so easy to take the attitude of looking at health statistics without looking at the most basic issues related to them. Try explaining to people here in the ACT, which I did when I first came to live here, that there are people in Australia who do not have access to potable water. It is not a hardship posting like you get when you go overseas with Foreign Affairs. There are people living within this community, within Australia now, whose access to water is tenuous at the best of times. We need a lot of money to address that issue, but then there are screams about how many dollars it costs to provide services to people in rural and remote areas.

7 May 1997

We have to take responsibility for some of the needs in relation to water, housing, health and education. We forced many changes onto Aboriginal people. This is not 200 years ago. We are talking about people who are still working. This was part of the policy at the time. We have to accept that reality. But we decided that Aboriginal people should not continue the hunting and gathering lifestyle which they had enjoyed for thousands upon thousands of years; that they should all be forced to live within a community in a fixed place. A number of programs brought that about. But at the same time that we said people should live within communities, we did not provide them with the means to do that. In other words, we did not provide good infrastructure. We did not provide water, decent housing, access to education or access to health services. They were almost like a secondary need that came along. These are issues that have to face the community now. We are not talking about some long gone time. We are not suggesting to people that they carry the weight of what Captain Arthur Phillip did. We are talking about government programs, the outcomes of which are still within our community.

I just make mention of the inquiry into the stolen children, the results of which have not yet been published. I am sure, along with a number of people here, that we know people who were taken from their parents or who were parents themselves. The community lost these children because it was felt that it was better for them to be brought up in another way. The lack of respect and the lack of regard for that culture at that time is a great shame for our community. This is something we have to continue to address and not let the poisonous words of Pauline Hanson affect our humanity and our compassion in this area. We have to look at the things that continue to happen within our community.

Let us consider some of the things that Pauline Hanson is doing. She wants a divided community. She talks about One Nation, but all her actions and all her words make a lie of this claim. Pauline Hanson is working hard to bring divisions and discord into our society. She is not the only one who has been part of this process. She might have picked up the race can, be pushing it and be giving it a good kick. Already, in the last 13 months, we have seen the manipulation of a language, the opportunities for targeting different groups within our community and setting them aside and saying they are the enemy.

Consider the unemployed, and how they are treated and how they are spoken about now. They are no longer accepted within our community as the most disadvantaged. They are put down as lazy and devious, and failing to pick up the opportunities - opportunities that just do not exist. The Commonwealth Liberal Government, along with John Howard, its leader, has been happy to go along and encourage the divisions within our community. What has happened with that situation is that the scene has been set for Pauline Hanson and her like to come in and to push the racist views that are there. We have seen the situation where John Howard has not shown leadership to answer Pauline Hanson, to bring the community together to work for the good of the community as a whole.

Mr Moore: Even though he went to the election saying he would govern for everyone.

MS REILLY: Yes. It is interesting to see the manipulation there. The divisions were already apparent before the Liberals took on government in March last year. This has continued and it is not surprising that Pauline Hanson has reached the

prominence that she has. There has not been leadership shown in the Commonwealth Government at this time. The action taken by Bill Wood today and the words of the rest of us now will show leadership to the community, as we should in view of the positions that we hold. This will show what we should be doing and what we should be looking for in a community to hold all of us together and to recognise difference. We should recognise the diversity of our community and be proud of it.

It would be interesting to know what the response has been for those right-wing paranoid hacks behind Pauline Hanson who provided material for her so-called book. It must be amazing to them to get the publicity which they are getting at this time. For all the years they have been peddling this tripe they have never managed to get the response they are getting now. You wonder what sort of community it is that gives so much airplay and wastes so much print on this unsubstantiated rubbish. It has been referred to as shallow today. I think that is too deep a description for the rubbish that it is.

One of the complaints of Pauline Hanson is the fact that there is positive discrimination; that Aboriginal people get more than others. We have a long tradition in Australia of positive discrimination. The oldest positive discrimination program is the one set up during the First World War for the returning servicemen, for the returned soldiers. Recognising that these people would need additional assistance, there was a system set up to help with jobs, housing and land. This continued for many years. We still have a Department of Veterans' Affairs.

If we can have positive discrimination for one group, why cannot we consider it for a number of groups within our community? Why cannot we consider it for Aboriginal people without having them vilified? Why cannot we recognise the special needs of people coming from other communities? Why cannot we recognise their courage and bravery in coming this far to a new community with a new culture and a new language? Why cannot we recognise the contribution made by these people to Australia by helping them to set up house, helping them to raise their families and assisting them with education? If we can have positive discrimination in one part of the community, why cannot we have it in the community as a whole?

We continue to give other forms of assistance to many groups in our society. Consider business. Business gets assistance with tax in a whole range of ways. It gets assistance with health systems. It gets assistance through school fees. So we are quite happy to give assistance in some parts of the community, but when it is assistance to Aboriginal people it is seen as bad; it is seen as giving something for nothing. Aboriginal people also contribute to our community.

Apart from the leadership that we can provide by the statements we make today and by the statements we make in other public areas - hopefully beyond just dinner parties; I think we have a much broader role than that - we need to take other action. Consider the book that she has produced. We should make an agreement that we do not purchase that book. We should consider the bookshops that are offering it and write to them and bring to their attention that it should not be given any shelf space. (*Extension of time granted*) This is a way in which we can show leadership to the rest of the community about what we consider are the attitudes and opinions of Pauline Hanson and those faceless men behind her.

7 May 1997

We are not saying, "Do not write, Pauline". We are not saying, "This book should not be published". She has every right to do that. But we can show what we consider is important in our community by not encouraging her to take it further and by not purchasing the book. If you want to read it, use a photocopy. I am quite sure she is not concerned about lending rights. In conclusion, I would just like to say that, as members of this Assembly, as members of the ACT community, it is important that we take a stand. It is important that we show leadership on this issue. If the ACT does not, we have problems in the whole of Australia.

MS McRAE (11.48): Mr Speaker, I could not care less about Pauline Hanson. As far as I am concerned, she is one of a stream of people who have espoused ugly views about other people and somehow found a platform and spread hate and unpleasantness. She is not on her own. There are many people in Australia who have done this, and many people who have tried to do this. It is nothing new. We heard a little of it in our own Assembly not all that long ago.

What I am concerned about is this: Why is she listened to? I think there is one answer at the very least. If you put in conservative governments all over Australia, this is the rubbish you get. It began with Philip Ruddock, and it began with Philip Ruddock before the election. Let us spell this out for what it is. Let us not walk away from what it is. It is a political mind-shift in Australia which began with Philip Ruddock. What did Philip Ruddock do? He walked away from bipartisanship on immigration. He was the first one to point the finger and say, "Oh, no; we have been with you, Labor Party, all these years; we have been trying to control racism with the Labor Party all these years. We have been working together. But now that there is a sniff of a win in the air, now that there is a bit of agitation in the air, we are walking away".

Before the election we already had a very good measure of what was coming to Australia. Suddenly, immigration levels were too high. Suddenly, the support for immigrants was too high. Suddenly, the support that people rightly got when they came to Australia - and people are invited to come to Australia - was taken away. Suddenly, refugees were treated as some sorts of lepers who did not deserve support. Suddenly, people who came on the basis of family reunion could not seek out social security payments. Who started it? Mr Philip Ruddock.

What was the next step? Who gave permission to point the finger at blacks? It was not Pauline Hanson.

Mr Humphries: Who was it?

MS McRAE: It was your very own Minister for Aboriginal Affairs. What did the good Dr Herron do? The very good Dr Herron was there for only two minutes and, hey presto, everyone in ATSIC was a crook. Special auditors had to be brought in. These dreadful blacks could not be trusted. Nobody else had a special audit. Nobody else had everything turned upside down. No, no, no. Dr Herron was not there two minutes and what did he do? He instantly sent in the auditors and wanted to abolish ATSIC, and still does. It was not Pauline Hanson who began that, "Do not trust the Aborigines in Australia; they cannot manage money"; it was our very own conservative Government. This is what you get if you have conservative governments in Australia.

Who was next to give permission to blame the victim? It was not Pauline Hanson. Amanda Vanstone stood up and said, "Bludgers, bludgers, bludgers, all over Australia". She killed every training program for employment that existed that made sense; she killed every initiative that tried to put people back on their feet; she killed every solid measure that Labor had spent years working on and went back to the rhetoric of the 1950s. What we have seen is this conservative Government going back to the 1950s and saying, "We forgot in the 1950s. We dropped the ball. We lost government. But, hey presto, here we are again. We have not forgotten our views. We do not want any of these people here. People who do not work are bludgers".

This is our good Amanda Vanstone who began that entire debate, creating bludgers, creating people who are second-rate citizens in her opinion, creating fear, creating distrust, and even creating families that she said were drawing an unnecessary amount of money. She is creating again the whole mind-set that Australia is somehow full of people that you cannot trust, that do not want to work, that are bludgers; and this with the background of the witch-hunt against ATSIC and the witch-hunt against immigrants and refugees. It was not Pauline Hanson who gave permission for these views. It was not Pauline Hanson who started this debate.

Then our good Dr Howard - he is not a doctor yet; no doubt he will get an honorary doctorate because he is doing such a good job - Mr Howard, said, "Let us drop political correctness. Let us drop chairperson". Oh, yes. Oh, such a mealy-mouthed contribution to free speech came from Mr Howard, and what did that give permission to? That gave permission to the opening up again of that entire debate that feminists had fought for the last 20 years - to look at language and its implications. It was Mr Howard who gave permission for all the uglies to come out of the box again.

Along with that background, what do we get? Then we let Mr Borbidge loose on the world. Oh, thank you, Mr Borbidge. Is it not a wonder for mankind that we have him in charge? Suddenly, not only are blacks bludgers, not only are blacks people who do no work, not only are blacks people who take unfair advantage, not only are blacks people who run organisations that need special audit; they are after every piece of land in Australia and they are going to deny Australia's growth. That is Mr Borbidge's message. The Wik judgment comes down with a very fair decision about land ownership in Australia, and what does Mr Borbidge do? Mr Borbidge sets up fear and hate.

Who is the problem here? Why is Pauline Hanson being listened to? It does not matter what Pauline Hanson says. She is not new in her views. Pauline Hanson is one more small-minded person, of which we have quite a few in Australia. Why are we listening to her? Why is anyone listening to her? Why is anyone feeling comfortable with what she says? Because the conservatives are giving people permission to feel like victims, to feel unsafe, to feel insecure, to hate blacks, to hate immigrants, to hate women for daring to want to be called a chairperson instead of a chairman, thank you very much. What they have done is taken us back to the 1950s and given us all that diatribe about minority groups in Australia. They have made us worry about migrants, made us worry about women, made us worry about students and made us worry about blacks. That is why Pauline Hanson is a problem in Australia - because there is an absolute lack of leadership by the conservative governments here, and in Queensland, in WA, in South Australia, and in Victoria.

7 May 1997

This is the legacy of putting conservatives in power. They open up and themselves express views that are very close to hers, and suddenly people think, "Maybe it was wrong to worry about women's rights. Maybe it was wrong to worry about Aboriginal rights. Maybe it was wrong to give immigrants a hand up. Maybe it was wrong to let students study. Why should we be so generous and kind? Maybe it is right that we have a right to hate all these people". They have been given permission. Our leaders today have opened up each of these doors and given permission for Pauline Hanson to flourish.

It is they who will stand condemned if her party carries through with the power that it has. It is they who stand condemned because they systematically ripped apart all the social justice initiatives that Labor had put in place, all the progress that we had seen in society about coming to terms with difference, about dealing with difference properly, about allowing Aborigines to determine their own future. They have put land ownership back a hundred years or so. They have made us feel that everything that Labor moved on was unworthy. That was the line of attack that came before the election - it was not put to bed during the election - and has been given permission ever since these people came to power.

Pauline Hanson is irrelevant. What is important is Mr Howard and his complete lack of leadership. Until he stands up and puts back together again all the damage that Herron, Vanstone, Ruddock, Borbidge and Court have done to Australia, we will continue to suffer the hatreds of Hanson and her like.

MR STEFANIAK (Minister for Education and Training) (11.58): Mr Speaker, I really wonder what Ms McRae's speech had to do with the motion. I sympathise with a lot of what Ms Reilly said, especially in terms of her experiences. She put a very well argued case in relation to Aboriginal and Torres Strait Islander people in this country. I want to comment briefly on a few things that Ms McRae said and then go back to the motion.

This motion is about the politics of hate, and the politics of hate cross all party boundaries. I think there would be a danger here that there would be many people in the Australian community who might see some favour in the simplistic views, and, might I say, having had a quick look through this book, in many instances the incorrect views, expressed by Pauline Hanson. They might affect people who might normally vote Liberal or might normally vote Labor. When Ms McRae was talking Mr Humphries interjected about Arthur Calwell once saying, "Two Wongs don't make a white". However, Arthur Calwell instituted an excellent immigration program in this country and it was continued by the Menzies Government.

Ms McRae fails to realise, too, that Ms Hanson has come onto the scene after 13 years of Labor rule. I find it incongruous that Ms McRae blames the current Federal Liberal Government for the views Ms Hanson expresses. There is no logic whatsoever in that - absolutely none. In fact, when one looks at the history of the Liberal and National parties in recent times, over the last three or four decades, might I say - - -

Mr Berry: Hold your head down when you do it.

MR STEFANIAK: I will include the Labor Party in this, too, because they have done a lot in terms of ensuring that this country remains a multicultural, very tolerant and decent society. Let us go back to the referendum in 1967, instituted by the then Liberal-Country Party Government, which gave our native Australians the vote - something that should have happened decades earlier. That was a Liberal-Country Party government. Let us look at fine representatives in parliament like Senator Neville Bonner. What party was he from? There have been a number of other ethnic politicians in various State and Federal parliaments, of all political persuasions. The Calwell immigration scheme, continued by Sir Robert Menzies, brought so much diversity and richness to our society.

I want to get back to the motion, Mr Speaker. Having had a quick flip through a photocopy of this book which Mr Moore provided me with, I see on page 18, and going on to page 20, a number of comments Ms Hanson makes about a truly multicultural country. She really seems to be completely off the air with these comments. Mr Wood's motion, which is to reject the views expressed in Pauline Hanson's publication, is very apt. Just listen to this, Mr Speaker. She states:

A truly multicultural country can never be strong or united, as continual friction and conflict is created by rivalry between people with ethnic and religious differences.

That is absolute nonsense. I think one of the richnesses of Australian society, one of the richnesses of the society in the United States, one of the richnesses of societies in a number of countries in the world, especially democracies, Mr Speaker, which are truly multicultural, is that these countries can indeed be strong and united.

Consider the very diversity of countries like Australia and the United States, especially, which does some things which probably frustrate a lot of us around the world at times. People are constantly saying that the United States is in danger of breaking up or going off on a different path, but it has that inner strength to do some remarkably good things for the world. I think we have seen that constantly since World War II. The Americans have played a larger role. I think that is directly a result of the United States being such a diverse melting pot of humanity. Just when you think there are real problems there and that that country is going downhill, it will do something which lifts it back up out of the pack. I think sensible commentators have attributed that in no small way to it being a melting pot of humanity and to its multicultural nature - the strength derived from a diverse lot of people coming to make a life in a new land.

What about Australia? In the last 40 to 50 years Australia has seen significant immigration from Europe, other than just the British Isles, and from other parts of the world. I think our culture has been enriched as a result of that. I think our strength as a people has been enriched as a result of that. So, I am sorry; Ms Hanson's comment that a truly multicultural country can never be strong or united is absolute nonsense. She goes on to say, on page 20:

Multiculturalism or the 'melting pot' has been a dismal failure all over the world and the record of disasters fill the alphabet.

7 May 1997

I think it is clearly shown that that is absolute nonsense, especially when one looks at the United States again. The melting pot has been a great success there. She goes on to say:

As I speak, men, women and children are being butchered because they are different in some way from their murderers, their only crime being that of living in a multicultural society imposed historically by politicians, colonisers or other external forces. The African continent is in constant turmoil and the horrors of Rwanda, Somalia and Ethiopia are still fresh in our minds.

Mr Speaker, that has nothing to do with multiculturalism. That has to do with problems between some of the traditional tribes of Africa and some atrociously drawn colonial boundaries. Absolutely no regard was paid to the people who lived there at the time when the European colonisers came in and carved up Africa along illogical, insensible and totally incorrect lines. That has absolutely nothing to do with multiculturalism or melting pots or anything like that. Again, Mr Speaker, she is absolutely way off beam there.

Mr Berry interjected about the United States. We all can criticise the United States over many things.

Mr Berry: Why do you not go over there and look, Bill? Just have a little wander around.

MR STEFANIAK: I have, Mr Berry.

Mr Berry: Just walk through a couple of backstreets in New York. You will get a bit of a feel for it.

MR STEFANIAK: Yes, we all can criticise the United States. There are a lot of things that are wrong in the United States. There are a lot of things that are wrong in any society. But to say that is because of multiculturalism, Mr Berry, is wrong. Because there are so many different people in the United States from so many different backgrounds, sure, there might be problems. There might be some problems in the backstreets of New York, sure.

Mr Berry: Multiculturalism, except for blacks, except for the poor, except for the working-class people, except for unionists.

MR STEFANIAK: There are some very great successes which can be attributed, Mr Berry, to multiculturalism and to the melting pot effect. That is what I am saying, and you cannot deny that. There might be poverty and injustices in that system which maybe they should counter better, but you cannot say that that country is a failure because of multiculturalism. Even you, I would hope, would have to agree with that.

Mr Berry: I have not said that. You were saying that it is a great success as a melting pot.

MR STEFANIAK: What I am saying, Mr Berry, is that some of the great successes which the United States has achieved can be attributed in no small way to multiculturalism; to the fact that there are so many different people there, which is completely contrary to what Ms Hanson seems to be arguing. Mr Speaker, I note that in this book there are a number of articles by people who do not even put their names to them. I think Mr Wood's motion is very timely, and it obviously has the support of all members in this Assembly.

MS HORODNY (12.05): Mr Speaker, I have not read Pauline Hanson's book and I have to say that I have no intention of doing so. Like other members here, I have heard enough of Ms Hanson's prejudice, her bigotry and her racism. Through all her speeches and interviews there is a strong echo of ignorance, a very strong and pronounced ignorance about indigenous culture and the role of land in that culture. There is an ignorance about the impact of white settlement, disease, land displacement, alcohol, changed lifestyles, the break-up of families and all the other issues around the disturbed and broken cultures that are Aboriginal Australia today. That is not to say that that culture cannot be mended. Indeed, the reconciliation process has been set up to foster the healing and mending of that culture, and to give respect and dignity back to Aboriginal people.

There was a letter to the editor in the *Canberra Times* on the weekend from a Peter Chu, who said that he held grave fears about where the Hanson league was going in this country. I have to say that I share his fear. We have heard already that there has been violence committed against people at the Aboriginal tent embassy in recent weeks. People at the tent embassy are being beaten up. Asian people are being beaten up. I have heard first-hand of friends of mine who have adopted Asian children who in recent months have been victims of abuse and violence at schools, and this is for the first time - just in the last six months since the Hanson factor. There is no denying, Mr Speaker, that we are a nation with a violent history. We have committed incredible violence on Aboriginal people in many ways. We should not deny that; we should not sweep that under the carpet. This violence has been direct and indirect. We have gone through a process of healing and mending in our community, but this violence has started to resurface.

As community leaders, we have to counter the Hanson factor at every opportunity. I would urge Mrs Carnell and Mr Humphries, following this very sensible motion that Mr Wood has put on the notice paper, to send a letter of support from this Assembly to Mr Howard, to the Aboriginal tent embassy, to Aboriginal communities and to the Aboriginal Reconciliation Council, letting them know what this Assembly has agreed to, telling them that we have shown unanimous support for Aboriginal people, telling them that we do support indigenous and diverse cultures in this country, and telling them that we condemn Pauline Hanson's view.

MR BERRY (12.09): Mr Speaker, my colleague Ms McRae made well the points about the attacks by conservatives on our community and the way that the debate about racism and opposition to minority groups has been enlivened by the attitude of conservatives across this country. I think in many cases the conservatives have been indulging in cheap politicking in the lead-up to an election campaign.

7 May 1997

Mr Humphries: Mr Speaker, I rise on a point of order. I have heard a bit of this from Ms McRae and now it comes from Mr Berry. I would ask you to give a ruling on whether the conservatives, as Mr Berry so colourfully describes them, really have anything to do with the motion that is before the Assembly today. It is a motion about the views expressed by Pauline Hanson.

MR SPEAKER: I must uphold - - -

MR BERRY: I expected you to, Mr Speaker.

MR SPEAKER: I do uphold the point of order, Mr Berry. Come back to the motion that Mr Wood moved.

MR BERRY: Indeed. Ms Hanson, of course, was a member of the major conservative party in Australia. Had she not made the mistake of making some racist taunts in the course of an election campaign, I suspect she would still be a member of the Liberal Party. She was elected by the conservatives to be a candidate for the Liberal Party in her electorate. Had she not made the mistake of making a racist taunt in the course of an election campaign and embarrassed and damaged the chances of the Liberals, I suspect she would still be a member of the Liberal Party. Had she won under that banner, she would be in parliament with the same views that she has now but as a Liberal. Mr Speaker, one of the problems for me is separating Ms Hanson from the general conservative push against those areas of concern.

Much has been said about Aboriginals and anybody who looks different from an Anglo-Saxon, it seems. What has happened is that cheap politicking has generated an icon, if you like, for all of those in the community who would profit from divisiveness. It is the politics of opportunities to prey upon small groups within the community and make victims out of them in order that somebody can profit politically. It is usually surrounded by simplistic slogans, such as has been the case with Ms Hanson. Those simplistic slogans were also used in the lead-up to the last election and were used in the lead-up to several State elections by conservative politicians.

Mr Humphries: Mr Speaker, I again rise on the point of order and I ask you to rule on this again. Mr Berry has been told that the motion is about Pauline Hanson.

MR BERRY: Why don't you throw me out, Mr Speaker? Try that one on.

Mr Humphries: He clearly wants to make his remarks about somebody else. I am very happy to have a debate about the conservatives at another stage, but it is a bit much to waste the Assembly's time when we have another matter before us, namely, the matter of Pauline Hanson's comments.

MR SPEAKER: Yes. Mr Berry, address your remarks to Mr Wood's motion. Speakers before you have talked about the bipartisan nature of this motion. I am not at all sure that your comments are necessarily assisting that, but that is your affair. My job is to make sure that you do restrict yourself to the motion which is before the Assembly. I would ask you again to do that. I uphold the point of order.

MR BERRY: Mr Speaker, may I suggest to you that if you wish to debate the issue you get somebody else to occupy the chair and come down on the floor with the rest of us. Mr Speaker, this is an issue about the likes of Pauline Hanson who has conservative views, much like other conservative politicians who have expressed these views in such a way as to incite racial hatred - - -

Mr Humphries: Mr Speaker, I - - -

Ms McRae: This is outrageous.

MR SPEAKER: Order!

Mr Humphries: Mr Speaker, I agree with Ms McRae; it is outrageous. You have twice directed Mr Berry not to stray from the subject matter of this debate.

MR BERRY: Throw me out if you like.

Mr Humphries: Mr Speaker, you have the power under the standing orders, of course, to direct that the speaker resume his seat. You may wish to consider exercising it if Mr Berry continues to flout your ruling.

MR SPEAKER: I would remind Mr Berry, again, that the motion is as Mr Wood has put forward. I think it is broad enough for all members, as we have indicated already today, to be able to make a contribution. Mr Berry, address your remarks to the motion.

MR BERRY: Indeed, Mr Speaker. Pauline Hanson's attitude to minority groups throughout Australia is that of an arch conservative. I do not think anybody disagrees. Other arch conservative politicians like Pauline Hanson have taken the same approach.

Mr Humphries: Like Graeme Campbell?

MR BERRY: Like Mr Campbell. I have no difficulty with you describing Mr Campbell in any way you like, because I would probably be able to think up a description which would be - - -

MR SPEAKER: Unparliamentary.

MR BERRY: Unparliamentary. The fact of the matter is that this is a trend towards something which was started by politicians in society. I have to say that one of the things that disgusted me more than anything else was the fact that it was let go for so long because it seemed to suit the views of others around the place to let it go. I was most disappointed that the Prime Minister, John Howard, did not rise to the occasion in relation to this issue.

There are many attacks against minority groups or against people on the progressive side of politics, or people who are pursuing a particular objective for the group they represent. There are always the snide remarks about collectivism as opposed to individualism, such as, "Why are these people getting special treatment? Why do they not do it on merit?".

7 May 1997

You hear all of this sort of language coming from people who want to politick around these remarks. There are the comments we hear about political correctness; what an outrageous thing it is to be politically correct in your language - that is, to not use racist slurs or slurs against any other minority group in the community. These are the sorts of things that have surrounded the emergence of Pauline Hanson and it suited some people for some time just to let it happen. But, when it became a bit of a threat to their own political base, they, all of a sudden, started to get a bit agitated about it.

Mr Speaker, here in the ACT we have seen some examples of this politicking around issues and loony groups attaching themselves to slogans. I recall, as everybody here would recall, the Abolish Self-Government Coalition, as they described themselves. I think it was a one- or three-person band, depending on which day it was. Of course, attached to them were all the loopy right-wing groups that you could think of from around the country who used the same conservative slogans about those on the progressive side of politics to try to denigrate them. Luckily, in the ACT, that sort of stuff would not develop any legs, but in other parts of the country it does.

Because of the headline nature of some of the things that are being said, the media in many ways helps to promote these people. Unlike the days of the early developments of pre-war fascism, the media is a little bit more sophisticated and certainly is not controlled by the powers that be. Hopefully, some positive messages will get through to the community. If that is the case, in due course the community will reject Pauline Hanson. There is no question about that. But it is going to take some leadership from people in higher places, and we have not seen sufficient of that leadership yet. We certainly have not seen it from the States. In fact, the Queensland Government's performance has been absolutely outrageous. Why do they not admit that the issue about land rights in Queensland is not about a grab for land rights by Aboriginal people? (*Extension of time granted*) It is a grab for land by pastoralists. That is what this whole thing is about. It is about pastoralists who want to extinguish native title so they can do what they wish with land that has had restrictions on its use for many years.

Mr Speaker, it is about an attack on small groups for a hidden purpose. Pauline Hanson has taken advantage of that and the people that back her have taken advantage of it. I will bet that there are a few pastoralists behind Pauline Hanson, in the same way as there are pastoralists giving Borbidge a nudge in Queensland and in the same way as there are pastoralists and their supporters pushing John Howard on this issue, because they want to grab the land. They do not want the natives to express any rights at all about it.

Mr Speaker, this debate today is not just about Pauline Hanson. It is about the views that have been enunciated, at various times in the history of this nation, by conservative racists, and those views need to be suppressed immediately. The only way they will be suppressed is by parliaments like this endorsing, unequivocally, motions such as the one which has been put forward by Mr Wood. But, most importantly, what has to happen is that leaders in this country - people who have sat idly by in many cases for some time on this issue - have to come out full-on and destroy this sort of ideology before it develops any further.

MR HUMPHRIES (Attorney-General) (12.21): I would like to enter the debate on the question of Ms Hanson's comments and address the issue before the Assembly. I will make one small observation on what Mr Berry has had to say. I did attend a meeting about the aftermath of the Wik decision in Sydney a few months ago, representing the Chief Minister. If Mr Berry imagines that it was only the conservative Premiers around the table who wanted to wind back the consequences of the Wik decision, then he seriously misunderstands the position of his Labor colleagues in New South Wales.

Mr Berry: And you are seriously misleading the Assembly by saying that I said that, because I did not.

MR HUMPHRIES: Mr Speaker, Mr Berry is reflecting in an unparliamentary way - - -

Mr Berry: Mr Speaker, I did not say what he said I said. I withdraw the word "misleading".

MR SPEAKER: Thank you.

MR HUMPHRIES: I reaffirm that it is not just conservative members of governments around this country who have been anxious to wind back the consequences of the Wik decision. I can assure Mr Berry that at that meeting I represented a point of view which was much more sympathetic to the interests of Aboriginal people than was the view of Mr Carr.

Ms McRae: It is safe for you. It is a safe, easy, cheap shot.

MR HUMPHRIES: It is true.

Ms McRae: It is a cheap shot. I am not impressed.

MR HUMPHRIES: It might be a cheap shot, but it is true.

Ms McRae: You wind Borbidge back, and then I will be impressed. I am not interested in your view.

MR SPEAKER: Order!

MR HUMPHRIES: I have nothing to do with Mr Borbidge. I have no connection with Mr Borbidge.

MR SPEAKER: Order! We are discussing Ms Hanson's book.

Mr Moore: *The Truth*.

MR HUMPHRIES: Indeed, the truth is what we are all talking about, and I am happy to talk about the truth.

7 May 1997

Mr Berry: Remember your comments about backyards in the ACT?

MR HUMPHRIES: Those comments were endorsed by the Labor Government at the time, which then went on to pass the legislation that I asked for. If those comments were racist, obviously the same Government that passed the comments that I had called for was also racist. Mr Speaker, my record on the subject is quite clean.

Pauline Hanson is accused of dividing Australia. She has certainly succeeded in dividing this Assembly today. The debate, regrettably, has become a forum for us all to air our pet grievances and point to either - - -

Mr Moore: No, not all.

MR HUMPHRIES: No, that is not true. I withdraw that. For many members - - -

Mr Berry: I missed out on Michael. There were a few things I wanted to say about what he said, too.

MR HUMPHRIES: Yes, I am sure there were. You will have plenty of opportunities to do that, Mr Berry. It has been an opportunity for people to point their fingers at their favourite bogypeople, including economic rationalism, Philip Ruddock, John Herron and the capitalist system. Mr Speaker, what I think those comments in this debate demonstrate is that what we have here is a phenomenon which needs to be addressed in a sophisticated way. Mr Berry, in his comments, said that the only thing that needs to be done in this debate to deal with the problems that have been raised is for assemblies like this one to emphatically pass the motion which has been put by Mr Wood. Let me say that, although I and my colleagues intend enthusiastically to support the motion moved by Mr Wood, I think that the suggestion that parliaments passing motions is the way to deal with these problems is quite mistaken. There is a much more important place for us to be taking these arguments to, and that is out in the broader community.

We in this place, I think, to a man and a woman, believe in the pluralist, multicultural, tolerant society that has been built in this nation over the last few decades. We all acknowledge that we have further to go down the path towards a society which achieves the goals that we articulate, but we all argue for that kind of society. There are some people out in the community who do not support those concepts, and they are the people who play on and draw comfort from the comments made by Pauline Hanson. It is not enough for us to stand in this place and condemn them, to point the finger at them and say, "Pauline Hanson is a racist; Pauline Hanson is wrong; Pauline Hanson must be" - to use Mr Berry's words - "suppressed". That is not the important work that we have to do. As the Chief Minister said earlier in this debate, it is the work that we do out in the community that is as important.

Ms Tucker: Government policies need to change to address inequities.

MR HUMPHRIES: That may be, as far as you are concerned, Ms Tucker; but I think Mr Moore summarised this best when he said that the best response to the Pauline Hanson phenomenon is not legislation, but by fighting the Pauline Hanson phenomenon in the marketplace of ideas. I think motions in this place are fine. As I said,

we support the motion that is being discussed today. But we have to get out into the community and argue why the comments being made by her are wrong. It is all very well for politicians like John Howard, Kim Beazley, Kate Carnell, Andrew Whitecross and whoever to rise and point a finger at Pauline Hanson and make those sorts of criticisms. It is one thing to do that. It is another to get out there and explain to people, to argue a case before people, as to why these sorts of comments should not be tolerated in our community. Mr Speaker, I do not believe that we can pass the motion today and feel satisfied with ourselves that we have scotched the Pauline Hanson phenomenon. I think that we have much more work to do in order to do that.

I have had the misfortune to be able to read some of Pauline Hanson's book. I am not sure that it is Pauline Hanson's book, to be frank. The first, shorter part of the book is extracts from speeches made by Pauline Hanson and press releases. I have heard Pauline Hanson speak on television, on radio and so on, and the comments that she has made in those settings, where she has had to speak viva voce - live - have been very inarticulate and in very poorly constructed sentences. Very badly expressed and poorly chosen words have been evident.

Ms McRae: So what?

MR HUMPHRIES: You ask the question: So what? The question that I ask is: Who are the people behind Pauline Hanson? Who are the people who are building - - -

Ms McRae: I let you know. I gave you a list.

MR HUMPHRIES: I know that you have an opinion, Ms McRae. We have heard your opinion, and we will hear it very well, I am sure, as you call out across the chamber. But my opinion is that Pauline Hanson is the mouthpiece for other people, and I would like to know who they are. Certainly, her comments here look like carefully crafted speeches drafted by somebody else, rather than by - - -

Mr Whitecross: John Howard.

MR HUMPHRIES: I am quite certain that John Howard has not drafted any of these speeches. I would like to know who has. We know that, these days, it is not John Pasquarelli.

Mr Moore: I imagine that, occasionally, some people have helped draft speeches for you, Gary.

MR HUMPHRIES: Indeed, but most of the things I say are my own work. In fact, almost everything I say is my own work. I do not think the same can be said of Pauline Hanson. This is why I make these comments.

Mr Speaker, this is a very bad book. It is a very poorly put together book. The arguments ramble. The cases that are made for certain things - such as attacks on Asian immigration and attacks on the "privileges" of Aborigines, so called - are based on very poorly selected and randomly quoted "facts", so called. Some of the information in this book is actually inaccurate; but, more to the point, it draws on inaccurate information

7 May 1997

and information which is partly correct and partly not correct. I do not think, Mr Speaker, that the truth of Pauline Hanson's phenomenon is explained by books like this. I think very few people will read this book. It is the fact that she draws upon fears within the Australian community, which it is our duty as members of this Assembly and the duty of parliamentarians collectively to undermine through solid argument.

Mr Speaker, I appreciate and enjoy living in a tolerant, multicultural society because I can see the benefits that have flowed to our society from the infusion of people of many races in that society. We need to explain to those people who do not understand those benefits what those benefits are and to argue for their acceptance and their promotion in the future. I believe that we need to make a positive step to do that.

Mr Speaker, I think we need to accept that the sorts of fears which have been raised by Pauline Hanson are not the fears merely of people whom you might describe as being on the extreme Right of our nation. Bear in mind that Pauline Hanson represents the electorate of Oxley, an electorate which for, as far as I am aware, the entire period since Federation has returned Labor members of parliament. It was the one seat the Labor Party held in Queensland after the 1975 election. (*Extension of time granted*) The point is that the people who have elected Pauline Hanson are solid working-class people living around the city of Ipswich.

Mr Whitecross: And Liberal Party voters.

MR HUMPHRIES: Undoubtedly, that is true. Mr Speaker, let me answer Mr Whitecross's comment. Yes, it is true that a lot of people who would normally vote for the Liberal Party in Oxley voted for Pauline Hanson. That is undoubtedly true, but - - -

Mr Whitecross: Most.

MR HUMPHRIES: Probably that is true as well. I do not know, frankly, and I do not see how you can know either.

Ms McRae: Because he looked at the numbers. That is why.

MR HUMPHRIES: There are no figures on that. You cannot work out what - - -

Ms McRae: There are. The two-party preferred and - - -

MR HUMPHRIES: No, there are not.

MR SPEAKER: Order!

MR HUMPHRIES: There was no Liberal candidate at that election, Ms McRae.

Mr Whitecross: There was. It was Pauline Hanson.

MR HUMPHRIES: No, there was not. There was no Liberal candidate. She was disendorsed by the Liberal Party. The only major party candidate at that election was the Labor candidate. I think it was Mr Scott. So, Mr Speaker, she went to that election and she undoubtedly drew on the votes of people who would otherwise have voted for an official Liberal candidate, if one were available. Undoubtedly, that is true. But you need to acknowledge at the same time that she could not have won the seat of Oxley unless substantial numbers of solid working-class Labor voters also supported her. She could not have won that seat, except in those circumstances.

Mr Speaker, I do not make that point to attack Labor Party voters - not at all. I make the point to say that you cannot write off Pauline Hanson's support just by saying that she draws on the pastoralists, the gun owners, the people who hate Asians and the people who hate blacks - that kind of phenomenon. You cannot write her off on that basis. Many people have picked up and apparently expressed support for her point of view, including people in traditional Labor Party supporting parts of this country. We have to challenge that mind-set, not just challenge Pauline Hanson. It is simply not enough to say, "Pauline Hanson is wrong. Ostracise Pauline Hanson". That is not the full answer to this problem. I think, Mr Speaker, it is to challenge Pauline Hanson's philosophy and the things behind it, and to argue why it is good for us to have immigration from a range of countries, including countries of Asia, and why it is good for us to have positive discrimination in favour of Aboriginal people because of the many decades of discrimination against them. That is the kind of thing we have to do in this debate.

Mr Speaker, it is to the credit of my party that the first time Pauline Hanson expressed views that were anathema to the tolerant society which we live in today she got the boot. She was chucked out of the Liberal Party on virtually the same day she expressed those points of view. That is a matter of credit to my party. I have to note that there were other people expressing views hostile to that kind of society - people like Graeme Campbell - who were tolerated for over a decade in the Labor Party. So, let us not pretend in this debate that there are people over there who are whiter than white, who hate those views of intolerance and those expressions of racism, who do not believe in these sorts of things - - -

Mr Whitecross: Tell us about Bob Katter.

MR HUMPHRIES: He is not in my party, Mr Speaker. I do not take any credit for Bob Katter.

Mr Whitecross: He votes for your Prime Minister.

MR SPEAKER: Order!

MR HUMPHRIES: If there are racists in the Liberal Party, they will be expelled, Mr Speaker, and that is the expression that was clearly at work in Pauline Hanson's expulsion from the Liberal Party.

Question resolved in the affirmative.

Sitting suspended from 12.35 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Public Service - Youth Employment

MR WHITECROSS: My question without notice is to the Chief Minister. Chief Minister, in your Jobs for Canberra fantasy in last year's budget you boasted that you were spending \$450,000 on permanent trainee positions, plus \$130,000 on apprentices in the ACT Public Service and ACTEW, in addition to subsidising 50 temporary trainees to the tune of \$5,000 each. In addition, you indicated that the cost of these trainees would be met by the individual ACT Public Service agencies to the tune of \$4,000. The total of all these measures, by my estimate, is more than \$1m.

Mr Humphries: That is a big qualification.

MR WHITECROSS: You can add it up yourself, Mr Humphries. In this year's jobs document, *Creating Jobs for Canberra*, you list all the existing job schemes that you are continuing. None of these programs is mentioned. However, you do say that you have transferred \$100,000 from the youth traineeship scheme to the new Youth500 scheme. Chief Minister, what happened to the rest of the \$1m you previously committed to employment of young people in the ACT Public Service?

MRS CARNELL: I can understand why Mr Whitecross is feeling somewhat embarrassed by the budget I brought down yesterday and why he is having extreme trouble accepting a \$4.5m package for jobs and business creation, the single largest infusion into the jobs market and one that has been supported by the community sector. I can understand why he is a bit embarrassed about all of that. The reality is that we are not spending just \$4.5m, by any stretch of the imagination. In fact, the amount of money we are spending on business and employment initiatives in this city is closer to \$8m. Of that nearly \$8m, \$3m is for youth unemployment, new youth jobs.

The \$2.255m I announced yesterday in Jobs Now are new dollars. They do not include the dollars from last year. What they include, though, is such things as the Youth500 scheme; as Mr Whitecross rightly said, there is \$100,000 from last year transferred to this year, but we made \$407,500 available in this budget. Add on the \$100,000 from last year, and you get the \$500,000 - in fact, \$507,000, probably.

Mr Whitecross: So it is not new money?

MRS CARNELL: The \$2.255m includes \$407,000, Mr Whitecross, not the \$500,000. The fact is that we are spending \$500,000 on 500 new trainee jobs. Mr Whitecross might be asking how we are tracking against last year's jobs budget.

Mr Whitecross: Why do you not just answer the question I did ask?

MRS CARNELL: I am answering. You were indicating that the jobs budget we brought down last year somehow has not worked. When we brought down the budget last year, the unemployment rate was 8.6 per cent; now it is 7.4 per cent. That shows the jobs budget that has not worked! The number of jobs in the community has gone up significantly, the number of people unemployed in the community has gone down significantly, at a time when the Federal Government is downsizing significantly as well. I think that shows that the approach we took last year has worked, and is working, under enormously difficult circumstances; there is no doubt about that. The fact that the unemployment rate has tracked down and the employment rate has tracked up indicates good things for Canberra, not bad things, as they say.

MR WHITECROSS: I thank Mrs Carnell for her confirmation that the \$1m for youth traineeships in the Public Service has disappeared.

Mrs Carnell: No.

MR WHITECROSS: You did not say they were there, so they must have disappeared. I ask a supplementary question. Chief Minister, is it not the case that these youth traineeship schemes which have disappeared from your budget actively created real jobs for young people in the ACT Public Service, unlike your new scheme, which spreads the money so thinly that you are relying on employers being inspired to create a job by your bribe of, admittedly, \$1,000 per person?

MRS CARNELL: Poor old Mr Whitecross! It is quite sad. In my answer I said that the money we made available last year is on top of the money we will make available this year. It is quite simple. Read my lips: The money from last year is being spent and the money from this year is being spent as well. So we are not talking about - - -

Mr Berry: Aren't we smart today! Have you been on the smart pills?

Mr Whitecross: No.

MRS CARNELL: Mr Speaker, it is very hard for me to yell today.

MR SPEAKER: Order! The Chief Minister is answering a supplementary question from the Leader of the Opposition. I do not think it helps if the Opposition continually interjects.

MRS CARNELL: Mr Speaker, Mr Whitecross said that I had not answered the question. He asked whether the money we spent last year on employment programs was being spent again this year. The answer is yes, it is. It is on top of the extra \$4.5m we are spending this year - new money, Mr Speaker. Mr Whitecross shows an enormous lack of understanding of traineeships. He could have looked at the budget papers and he would have seen that the approach we are taking with the Youth500 scheme - 500 new traineeships in the ACT - is in partnership with the CES, the Federal Government and the private sector. The ACT Government will put in \$1,000 per trainee; the Federal Government will put in \$3,100, I think it is. There is a training component on top of that,

7 May 1997

and it means that employers can get a young trainee for a period of 12 months for under \$10,000. I think it is about \$8,000. We have indications from the private sector, and from the public sector, that those jobs will be available out there, that employers are willing to put on young people under those circumstances, to give them a go.

Not to sit on our hands, as I announced yesterday, we are going to give preference in our tendering out, all things being equal, to companies that have put on trainees. When we go down the tendering path, those companies that have put young people onto staff, that have put on trainees and apprentices, will get preference in ACT Government tendering. We are not just saying, "Let us hope against hope that there are 500 jobs out there". The CES and the Youth Coalition, who have worked up this whole program with us - it did not just come out of thin air - believe that we can find 500 jobs out there; 500 traineeships and apprenticeships. We will give preference in tendering. There is \$1,000 per head, or \$500,000, from the ACT Government, over \$3,000 from the Commonwealth Government, and training elements, and we believe that both the private sector and the public sector will come to the party. Of course, those opposite just whinge all the time. The only people who are not interested in jobs seem to be those opposite.

Business Bankruptcies

MR HIRD: Mr Speaker, my question is also to the Chief Minister, Mrs Carnell. Chief Minister, I dare say you would know my concerns in respect of small businesses. I was surprised last week to read in the *Canberra Times* the headline "ACT Businesses Going Bust - Fast". Was this an accurate assessment of the bankruptcy statistics as they relate to the ACT business sector? If not, what is the real picture?

MRS CARNELL: Mr Speaker, I did note the *Canberra Times* article. Like most members of this Assembly, and rightly so, I was quite concerned about the picture it painted of a dramatic increase in business bankruptcies in Canberra. Indeed, I sought further information from my department about these statistics and how we should be responding - again, I think, a very appropriate approach. I must admit that it was with some surprise that I read the report that came back. Armed with all the facts, the picture was quite different from that presented in the article referred to.

First, the bankruptcy data for the ACT covers all companies incorporated in the ACT, including those that are incorporated here but physically located interstate. As many people would know, a lot of companies do incorporate here but do not trade here at all. My advice is that up to half the business bankruptcies registered in the ACT bankruptcy district actually relate to firms operating interstate rather than in the ACT. Secondly, the bankruptcy data relates to personal as well as unincorporated business bankruptcies but not corporate insolvencies, with no breakdown provided to indicate how many bankruptcies reported in the March quarter are business bankruptcies. However, based on data from 1995-96, unincorporated business bankruptcies account for approximately 28 per cent of the total. In other words, fewer than one in three of these bankruptcies was a business bankruptcy, going on past trends. That is not to say, of course, that personal bankruptcies are any less serious for the people involved, but it does reflect on the *Canberra Times* headline suggesting that businesses were going bust fast.

Thirdly, the bankruptcy data is considered extremely volatile. For example, in the statistics for the previous quarter, bankruptcies in the Northern Territory increased by more than 100 per cent. My officials did some checking of their own and came back with the following data, which is a little more reliable as a picture of the real situation relating to business bankruptcies in Canberra. In February 1996, the number of insolvencies and terminations registered with the Australian Securities Commission in the ACT was 12. In February 1997, 12 months later, the figure had increased, but hardly dramatically, to 13. So we went from February 1996, with 12, to February 1997, with 13 - an increase of one in February this year over February last year. Over the same period, the number of new incorporations in the ACT increased from 108 in February last year to 137 in February this year - a fairly good indication that new business is coming to Canberra.

This Government does not pretend that it is not tough out there in business and for the general community in Canberra at the moment. It is tough, thanks to Commonwealth Government spending reductions. But, during the tough times as well as the good times, it is important to retain a sense of perspective and get all the facts straight, and the facts in this case indicate that ACT businesses are not going bust fast. In fact, more businesses are coming to Canberra than are going under.

Acton Peninsula - Demolition of Buildings

MR BERRY: My question is directed to the Chief Minister. Chief Minister, in question time yesterday you said, among other things:

... the TWU has set up a picket line on Acton Peninsula ... The reason that the picket line is in place is that it appears that the TWU do not like the fact that the Newcastle contractor hired local people who are members of the CFMEU ... this is a project that matters to this city ... We have to clear the site and we have a demarcation dispute between two unions.

Chief Minister, this morning in the *Canberra Times* your spokesman reiterated your claim that this issue was nothing more than a demarcation dispute between the CFMEU and the TWU. Do you still stick to that, Chief Minister?

Mrs Carnell: Is that the question?

MR BERRY: I have received two letters, one each from the Transport Workers Union and the CFMEU. In part, the Transport Workers Union says:

Firstly, the CFMEU and the TWU have no demarcation dispute -

gotcha! -

and in fact the CFMEU has endorsed the blockade as has the peak Union Body the Trades and Labour Council. For Mrs Carnell to say otherwise is a clear indication that she is oblivious to the facts and misleading the people of the ACT.

7 May 1997

Secondly, the blockade is in protest at the Carnell Government hypocrisy in letting a contract for the demolition and removal of the buildings at Royal Canberra Hospital to a company from Newcastle. This company intended to use its own trucks and employees from Newcastle to complete the work.

Quite simply: the issue is the loss of approximately 2 million dollars to Newcastle. At a time when local companies could easily handle the work and would welcome the work Mrs Carnell has shafted small business once again.

The CFMEU advises:

The CFMEU does not have a dispute with the TWU and we requested to have a meeting with the Chief Minister (which was refused ...) to deal with the issue of employing local people.

Mr Speaker, I seek leave to table those two letters.

Leave granted.

MR BERRY: What is clear from these letters is that the real reason the picket is on is that the contractor is refusing to use local tipper operators, who are desperate for work because of your failed economic policies, Mrs Carnell. Is it not true that you have either deliberately or recklessly misled this Assembly? Furthermore, will you accept that the industrial action at Acton Peninsula is because of your indifference to the needs of the ACT community? While you have been lecturing Mr Fahey and Mr Howard about Commonwealth outsourcing, your own Government contracts are creating jobs for people interstate. Is it not true, Chief Minister, that you have either recklessly or deliberately misled this Assembly?

MRS CARNELL: I think Mr Berry dictated very well to his mates in the union movement, Mr Speaker. The facts of this situation are quite clear. I have to say that I have not been approached by any of these people to have a meeting with me, certainly to my knowledge and, from the look on my staff's faces, to theirs. Similarly, we do not know anything about a request for a meeting. I certainly have no letters from them. I wonder who might possibly be stretching the truth here a bit. Mr Speaker, the Government does condemn the disputation caused by the TWU on demolition work on the Acton Peninsula. I think it is important to start looking at the facts here. City and Country is undertaking work to remove fittings from the main tower block and Sylvia Curley House prior to the actual demolition of these buildings - a job won through a public tender process.

Mr Berry: On a point of order, Mr Speaker: I do not think the Chief Minister heard my question. I asked her specifically: Is it true that you have either deliberately or recklessly misled the Assembly by claiming that there was a demarcation dispute? Furthermore, I asked the Chief Minister to accept that the industrial action at Acton Peninsula was because of her indifference to the needs of the ACT community. I also raised the question of why - - -

MR SPEAKER: There is no point of order, Mr Berry. The Chief Minister is explaining the situation, and I have no doubt that she will answer your questions.

MRS CARNELL: That is exactly what I am doing. Mr Berry made some comments about us hiring out-of-town contractors. City and Country won the job for the tower block and Sylvia Curley House through a public tender process. The facts of the matter are that it has five drivers who are CFMEU members. In addition, it has engaged five ACT employees, who have worked previously on the site and who are also members of the CFMEU. So we have a situation where, as I understand it, they have 11 employees. Five came with the company from Newcastle. This is a very large number of people! They employed five locally and one from Queanbeyan. So it is 6 : 5 at the moment. So much for thousands of people or lots of jobs being lost to the ACT. The fact is that the company brought five people with them, and employed five here and one in Queanbeyan, I am told.

Mr Berry: What about the trucks?

MRS CARNELL: We do not actually have a jobs-for-trucks program.

Mr Humphries: Only if it is a union truck. It has to belong to the union; that is okay.

Mr Berry: Other trucks are lying idle in this town, Mr Humphries, in case you have not noticed.

MRS CARNELL: Mr Speaker, I do not mind if trucks are lying idle. I mind if people do not have jobs. Funny about that! This is nothing short of attempted blackmail and shows contempt for the people of Canberra and employees of the contractor involved, that is, City and Country, Newcastle. The TWU is clearly ignoring the fact that this project is providing employment opportunities over the long term for Canberra residents.

On the basis that the unions involved have not requested, to my knowledge, anything from me on this - at this stage I have no requests, demands or anything else from the unions - but we have the TWU, which is not the same union as the CFMEU, picketing the site for who knows what reason, you have to assume that this is a dispute between two unions. Last time I looked into this, disputes between two unions were demarcation disputes. This sort of blackmail is simply unacceptable, and it is certainly unacceptable to have Mr Berry, as Deputy Leader of the Opposition, down there hyping them up, as I understand it. I cannot believe that that was the case; that must have been a vicious rumour.

Resorting to this sort of old-fashioned and completely out of date industrial tactic is nothing more, in my view, than attempting to get union membership, trying to get people to join different unions. If that is the case, it comes back to a demarcation dispute, again. If this is not a demarcation dispute, if it is just a dispute between two unions that somehow is not a demarcation dispute - I have absolutely no idea what it is - I will withdraw the statement that it is a demarcation dispute. I do not know what else a dispute between two unions is. Mr Kaine, you know about industrial relations. Is there another way you could put this? You are the Minister.

7 May 1997

Mr Kaine: Do you want me to spend 10 minutes now?

MRS CARNELL: Mr Speaker, this is either a dispute between two unions or a dispute between the contractor and the union that has absolutely nothing to do with anything but which union various people belong to. Of all the contracts that have gone out for the demolition on Acton Peninsula, some have gone to local companies; some have not. It has all been done on an open tender approach. In this particular case, City and Country have some expertise that is not widely held amongst local contractors and, at the end of the day, for such a project we had to get the people who gave us the best quote and also had the expertise.

MR BERRY: Mr Speaker, I have a supplementary question. I note that Mrs Carnell seems to have admitted that she misled the Assembly, but I did not hear the apology. I did not hear the apology for what she agrees was a deliberate misleading of the Assembly. Will you now admit that your misleading statements were merely an attempt to hide the full effects of your mismanagement of the Acton Peninsula demolition contracts, that work for local companies and local workers has not been the focus of the contract arrangements, and that this whole episode demonstrates the farce of your so-called Jobs for Canberra policy?

MR SPEAKER: Ignore the inference, Mrs Carnell. It is out of order.

MRS CARNELL: Mr Speaker, if we are talking about misleading the Assembly, from Mr Berry's initial question everyone could have assumed that somehow this contractor was coming in with all out-of-town employees. He did not indicate at all that this out-of-town contractor had employed local people, did he? If we are looking at misleading, this is misleading.

MR SPEAKER: A misleading statement.

Mr Berry: Mr Speaker, can I prevail upon you to have the Chief Minister answer the supplementary question instead of delivering another bucketful of tired old rhetoric. I know that you like to let them have their way, but would you insist upon them answering the question.

MR SPEAKER: I let everybody have their way, within standing orders. I have already suggested that the misleading allegation from Mr Berry should be ignored because it is an inference, and that is out of order, in terms of rules for questions; but you may answer the rest of the supplementary question, Mrs Carnell.

Mr Berry: Mr Speaker, on a point of order, I protest. You adopted the view that I had made a misleading statement.

MR SPEAKER: No; I said that your remark about misleading was an inference, which is out of order under standing order 117(b)(iii).

Mr Berry: No, Mr Speaker; you misunderstood me. I said that Mrs Carnell had apparently admitted that she had misled the Assembly, but we have not heard an apology yet. It usually follows when people mislead the place that they apologise or they get turfed out.

MR SPEAKER: I said that it was an inference and should be ignored in the answer. Continue with the rest of this supplementary question, if possible, Mrs Carnell.

MRS CARNELL: I think it is probably true that the whole jolly question was an inference. The bottom line here is that we have an open tendering process. Some of the people who got the tenders were from out of town and some of them were from in town. The particular contractors we are talking about brought five people from Newcastle with them and employed five Canberrans here, and now, for whatever reason, are subject to a TWU picket line which seems to have nothing to do with anything except that they are CFMEU members.

Public Education Funding

MR MOORE: My question is to the Minister for Education, Mr Stefaniak. Minister, in response to the Federal Liberal Government's - the Federal Liberal Government that I believe your Chief Minister described on radio as bastards - continued shifting of resources from public to private schools, the New South Wales Government, in a budget brought down yesterday, has moved to commit funds for 270 additional public school teachers. Why has the ACT Government taken no action to support its public schools by compensating for the Federal funding shift to the private sector?

MR STEFANIAK: I thank the member for the question, Mr Speaker. As Mr Moore appreciates, and other players in the education game as well, this Government has done a very good job in terms of maintaining funding for education over a very difficult period for the Territory. I think that has been conceded by groups as diverse as the P and C Council and the AEU. Obviously, we would always like to spend more money, Mr Moore. This Government has not only maintained education funding this time around in real terms, that is, the 1.75 per cent CPI increase, but also announced a number of other major initiatives, such as the literacy and numeracy testing for high schools and numeracy testing for primary schools - an additional \$400,000 there - and an additional \$600,000-odd increase for the student record-keeping system. That is crucially important, because that produces all the Year 12 certificates for our students.

We have also provided extra money for new schools such as Nicholls. We have provided an extra \$1.3m for the teaching profile. We concluded a very satisfactory to all parties enterprise bargaining agreement late last year with our teachers. I think it is generally acknowledged, Mr Moore, that this Government has done a lot in terms of increasing education funding, in very difficult times.

7 May 1997

Mr Moore: No, it has not. It has maintained it. It has not increased it.

MR STEFANIAK: No; it has more than maintained it this year, Mr Moore. The actual maintenance would be only an extra 1.75 per cent. I think you are well aware, Mr Moore, that it is about an additional 3 per cent in terms of the funding we allocated last year, when you take everything into consideration. The Federal Government has done a number of things that this Government does not particularly agree with. I have seen some figures which would indicate that their funding is significantly greater per student for the private schools than for the government schools.

Mr Moore: About 5 per cent.

MR STEFANIAK: Yes, 5 per cent, as opposed to about 2.5 or 3 per cent, depending on what areas - primary school or high school - you look at. I can understand your being very concerned about public education. You are concerned with what the Federal Liberal Government is doing in that regard. Putting that to one side, this Territory Government, in very difficult financial times, significantly not only has maintained but has added to education funding, and I think for that we do need to be praised. I hark back to this year's budget, Mr Moore, because on top of that CPI funding of 1.75 per cent you will see those additional items. It effectively takes us to an increase of about 3 per cent in real terms compared with last year. In this very difficult economic climate, I think that is a very good result.

MR MOORE: I have a supplementary question, Mr Speaker, which will probably come as a surprise to you, but here it is. Why is it, then, Minister, that the New South Wales Labor Government can manage the sort of increase which your Government seems not to be able to do? Will you be encouraging the Chief Minister to introduce a bed tax, which can then be focused on education, just as New South Wales has introduced a bed tax?

MR STEFANIAK: Certainly not a bed tax, Mr Moore. I happened to see some very interesting statistics the other day, which indicated that, compared with I think 1993-94, when we were 116 per cent and New South Wales was a base 100 per cent in terms of funding for public education, last year it was 120 to 100. That means that, vis-a-vis New South Wales, this Government has increased funding for public education by a greater percentage than the New South Wales Government has.

Mr Moore: Except for the budget yesterday.

MR STEFANIAK: We will see what effect that has, Mr Moore. Maybe that was redressing some very real problems the New South Wales Government has got itself into; maybe it is the New South Wales Government that is doing a bit of a catch-up. I will get those figures for you. I am just quoting them from seeing them; but I do recall 116 for 1993-94 and 120 last year, with New South Wales being the base 100. That would indicate that the ACT Government has increased its funding for public education compared with the New South Wales Government. It would seem to me that, if the New South Wales Government is taking some steps in its budget now, it is doing some catching up.

Employment Growth

MS McRAE: My question without notice is to Mrs Carnell in her capacity as Chief Minister. Chief Minister, can you explain why your budget papers predict growth in employment of 0.25 per cent when Access Economics in its *Budget Monitor* predicts a fall in employment of 0.5 per cent? Can you confirm that your predictions about employment growth are based on the ability of Canberra-based firms to capitalise on outsourcing opportunities from the restructuring of Commonwealth Government activities? Is it not true that you are perpetuating the myth that it is okay for the Federal Government to outsource jobs to the private sector, resulting in substantial job losses in the public sector in the ACT?

MRS CARNELL: I can comment, and I have commented once or twice in this place, about Federal Government approaches to downsizing and so on. I will yet again say that we do not support the approach the Federal Government has taken in the area of downsizing. With regard to outsourcing, if the Federal Government goes about outsourcing in a way that gives our local companies a fair go in this area, we certainly will support that approach. If they do not, we will not. It is that simple.

With regard to employment growth of 0.25 per cent, it is a very low figure. This is not exactly a figure that people should think is very optimistic, but we believe that that is possible and, on our modelling, we believe that it is achievable. When you look at the seven months since October last year, we have had a growth in employment in that timeframe. We are very hopeful that that sort of growth can continue. In fact, if that sort of growth continued we would do significantly better than 0.25 per cent. We believe, looking at all the statistics we have, at the Bureau of Statistics information, that 0.25 per cent is achievable, looking at the last six months, looking at the growth that has been achieved in that period, looking at the sorts of policies we have on the table and the companies we are currently talking to, and there are a quite significant number that are looking at either expanding or relocating to Canberra.

We are certainly very hopeful that a large number of ACT-based businesses will pick up outsourcing contracts from the Federal Government, and we have been very proactive in that area. We have been working with local IT companies and local companies generally to help them form strategic partnerships with larger companies in the same sorts of areas, to ensure that there will be a flow-on effect from Commonwealth Government outsourcing. We have a number of committees and so on that have facilitated that. The ACT Supplier Development Committee is a group of private sector people and ACT public servants who are working together to ensure that our local private sector picks up as much of the business as possible. We believe that it is possible. I have to say that 0.25 per cent is a fairly low figure but one that I am sure is possible if we all work hard and we get a little bit of a positive approach. We will all be waiting for Mr Whitecross's blueprint tomorrow of what he is going to do for jobs and employment.

7 May 1997

Mr Whitecross: I can hardly wait.

MRS CARNELL: I am sure we can all hardly wait. Maybe out of that we will all be able to see the way Ms McRae probably thinks we should do it.

MS McRAE: Dear, oh dear! Some of us gave up believing in Mary Poppins a long time ago. If you all work hard, you might be able to listen to my question. Why don't you just be quiet?

MR SPEAKER: Enough of the theatrics; just ask the supplementary question.

MS McRAE: I am working very hard at it, Mr Speaker. Given your dubious employment growth claims, will you table in the Assembly the modelling prepared by Treasury to back up these claims and your justification for predicting employment growth against all odds?

MRS CARNELL: Mr Speaker, I again say, against all odds, look at the last six months' figures.

Ms McRae: I asked you to table a document.

MRS CARNELL: I am happy to table the way we have worked it out; but all you have to do, and Ms McRae has it at the moment, is look at the employment growth since our last budget came down. The employment growth has been quite significant. I think that is good news for Canberra. I believe a 0.25 per cent increase in employment is very sustainable. I am happy to put together a paper that might help those in the Assembly, if they do not have the Bureau of Statistics figures. That is fine.

Accommodation Tax

MRS LITTLEWOOD: My question is to the Minister for Tourism. It is a shame Mr Moore is not here, because a minute ago he raised a matter to which he may like to have the answer. Minister, has your attention been drawn to the decision by the New South Wales Labor Government to introduce a 10 per cent accommodation tax in the Sydney central business district, northern suburbs and eastern suburbs? Could the Minister outline the existing ACT Government policy in this area and indicate whether the policy is under review in the light of this new tax measure by the Labor Party?

MR KAINE: Thank you, Mrs Littlewood, for the question. If anybody ever needed any evidence that the Labor Party establishes governments that are on about tax, this provides it. It seems that they simply cannot help themselves. If somebody goes into business in the private sector - - -

Mr Berry: Tired old rhetoric and a tired old Minister.

MR SPEAKER: Order! Mr Kaine has a cold and I do not want him shouting unnecessarily. Let us be fair about this.

MR KAINE: It seems, Mr Speaker, that, if you go into business and work hard, if you try to make a decent living, try to make a quid, and at the same time make some contribution to the economy of the society in which you live, with a Labor government you are dead meat, because they will get you. Simply put, rather than taking the hard, responsible decisions that governments have to take, rather than introducing the economic reforms necessary to enable the New South Wales community to live in this modern economic environment, Labor simply puts on another tax. I have no doubt whatsoever that, if Mr Whitecross, or one of the other people over here, by some vague mischance gets to sit on this side of the house after February as the Treasurer, the same kinds of taxes will be imposed in the ACT.

I did read the report that the New South Wales Treasurer had decided to introduce what he calls an accommodation tax - generally known throughout the industry as a bed tax - on certain hotels, motels, guest houses and the like, particularly in the Sydney CBD. I do understand that this new accommodation tax - I do not know whom it accommodates - will be inflicted at a rate of no less than 10 per cent. All I can say about that is that the Labor Party across the border must have a death wish for their tourism industry. This very tax was rejected by the Federal Government and by most of the States, if not all of them, no more than two years ago. In fact, a study done by the Tourism Council of Australia around that time demonstrated that 55 per cent of travellers said that they would change their travel plans if confronted with a bed tax. In spite of that sort of evidence, the New South Wales Government goes ahead and imposes not only a bed tax but a 10 per cent bed tax. It seems that they want to sound the death knell of their tourism industry. I thought when I first read it that maybe the Labor Government in New South Wales was trying to achieve the same objective as that set by the leader of our own new Labor Party opposite the other day when he enunciated the new policy to get rid of Labor at the next election. I think that may be Mr Egan's intention.

Mr Speaker, I can tell you quite bluntly that this Government has no intention of sending our ACT tourism industry to the wall by imposing such a tax. I think people locally need to be warned, people in the tourism and hospitality industry need to be warned, that, if Mr Whitecross and his mates across the other side of the road here get into office next year, they will introduce a bed tax. They will justify it on the grounds that it is in New South Wales, and therefore if it is good for New South Wales it has to be good for us. All I can say is: If the ACT tourism and hospitality industry wants a bed tax, vote Labor at the next election.

Public Service - Redundancy Pool

MR CORBELL: Mr Speaker, my question is to the Chief Minister. Chief Minister, will you confirm that you have had to draw around \$1.63m from your Treasurer's Advance to top up your redundancy pool for this financial year, despite foolishly allocating \$12m in the 1996-97 budget? Can you also confirm that this translates to around 340 jobs cut from the ACT Public Service this financial year?

7 May 1997

MRS CARNELL: Mr Speaker, the last time I checked we did not have an end of financial year figure, so I really cannot tell Mr Corbell exactly what our end of financial year figures are. There is certainly some chance that, if all the redundancies that may happen this year happen, we will need \$13.63m for redundancies this year on the basis of restructuring. That is the reason I could stand up yesterday and say that we have come very close to finishing the restructuring we needed to do in the Public Service, which is why I could move \$4.5m from the \$9.5m we had in the forward estimates for redundancies into jobs and business incentives.

We got on with the job we had to do last year to bring down our costs, and now we can get on with ensuring that there are new and real jobs in our community, out where they can really benefit the community, and that is new private sector jobs, new business in town. I am very proud that our Public Service has worked so well to restructure quickly.

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

MRS CARNELL: I am not allowed to say I am proud of the Public Service?

Mr Corbell: On a point of order, Mr Speaker: I asked the Chief Minister whether she could confirm that this figure translates to around 340 jobs cut from the Public Service. Will the Chief Minister answer that question or will she keep avoiding it?

MRS CARNELL: I have made it clear that I cannot make a comment on how many redundancies will have occurred by the end of the financial year. I did say that our estimates are that, if all the redundancies that are currently in the pipeline happen, we will use \$13.63m on redundancies this year.

Mr Corbell: Which translates to how many jobs?

MRS CARNELL: It depends on who takes the redundancies, does it not? Mr Speaker, that is the reason why we have been able to move \$4.5m out of the proposed redundancies for this coming year and into job creation and business incentives.

MR CORBELL: I ask a supplementary question, Mr Speaker. The Chief Minister said - - -

Mrs Carnell: I thought he just had one.

MR SPEAKER: No; he took a point of order on that one, which I was happy to allow.

MR CORBELL: Mr Speaker, the Chief Minister seems completely unwilling to give us any sort of estimate of how many jobs she will take out of the Public Service this year, despite the fact that she estimates she will be spending \$13.6m. My supplementary question is this: On top of that \$13.63m from the central redundancy pool, is it true that additional redundancies have been funded out of agency budgets, separate from the central pool? How much has been spent in this way, or how much do you estimate will be spent in this way, and how many jobs have been, or can you estimate will be, reduced as a result of this redundancy funding?

MR SPEAKER: Have you got all that, Chief Minister?

Mr Humphries: I rise on a point of order, Mr Speaker. Mr Corbell wants to know how many jobs the Chief Minister thinks at the end of the day are going to go, with some hypothetical figures. If Mr Corbell is asking what we think will happen at the end of the financial year, given a certain proposed number of dollars available, then it is a hypothetical question. If he is asking whether a certain amount equates to a certain number of jobs, then he is posing a question and asking for an opinion from the Chief Minister.

MR SPEAKER: Order! I uphold the point of order that the question about how many jobs might or might not go is hypothetical and therefore is out of order. The other part of Mr Corbell's supplementary I think referred, Mr Corbell, to an amount of money from another source; is that correct?

MR CORBELL: Mr Speaker, the Chief Minister seemed entirely willing to give us an estimate of the amount of money she would spend on the redundancies, but she is not willing to give us an estimate of how many jobs that will result in. The other part of the question was: Is it true that agencies are funding additional redundancies out of their own budgets and not out of the central pool?

MR SPEAKER: That you can now respond to, Chief Minister.

MRS CARNELL: I can answer that, Mr Speaker. Redundancies are able to be funded out of departmental budgets. They always have been. When they do not comply with our rules on redundancy - and that is that the job cannot be backfilled, that it is a real benefit to the ACT Government and so on - then a redundancy can be funded out of a departmental budget, but obviously within budget. It has to be funded within budget. I do not have any idea at this stage, because we are a quite long way away from the end of the financial year, what our work force data will look like.

Mr Corbell: Why do you not go and ask?

MRS CARNELL: As those opposite know, our work force data is provided to this place, and it will be provided at the end of the financial year.

Mr Corbell: It is going to be pretty embarrassing, from the sound of it.

Ms McRae: Very touchy, we are.

MRS CARNELL: It is very easy for them to see the figures. Mr Speaker, it is really hard for me to yell today.

MR SPEAKER: If they are not terribly interested and they wish to keep interjecting, I suggest that you sit down, Chief Minister.

MRS CARNELL: Thank you very much, Mr Speaker.

7 May 1997

Commonwealth Funding Cuts

MS TUCKER: My question is to Mrs Carnell as the Chief Minister. Mrs Carnell, in Budget Paper No. 3, Commonwealth grants estimates are outlined for 1997-98, and table 5.2.7 highlights that a number of very important areas are likely to receive substantial cuts from the Commonwealth. For example, money from the Commonwealth to the Aboriginal health strategy is budgeted to fall from \$426,000 to \$291,000, the ATSIC crisis accommodation program has been cut, the national mental health strategy funding has been reduced, and I understand that the national drug strategy, which is not mentioned in that table, is also likely to be cut. You have made public statements about proposed cuts to disability services; but I would like to know whether, and how, the Government has factored these and other potential Commonwealth cuts into their own budget strategy.

MR SPEAKER: Chief Minister, you cannot answer on behalf of the Federal Government.

MRS CARNELL: I cannot. I totally support Ms Tucker's comments about Federal Government cuts. I do not support them at all. They are indicative at this stage because, as we know, the Federal Government has not brought down its budget. When we put these things into our budget projections, and they are all in, we have no way of knowing what the real figures will be until we get the documentation from the Federal Government, but we do have to give some sort of indication. Our approach has been, and will continue to be, that if the Federal Government cuts funding in a particular area, particularly an SPP area, then that funding cut simply will have to be passed on to the service provider. The reason for that is that those around this room have been fairly negative about our approach with, say, ACTEW. Where does Ms Tucker think we are going to get the money to shore up Commonwealth Government reductions? The fact is that we simply do not have it. If the Commonwealth Government reduces funding in particular areas, then that will be passed on to the consumer.

MS TUCKER: I ask a supplementary question, Mr Speaker. Chief Minister, I think you could easily have accommodated this if you have those estimations already, but you claim that you cannot.

MR SPEAKER: Just ask the supplementary question. You can leave those comments until your response to the budget.

MS TUCKER: You state that, for example, in areas like mental health, there is an overall increase, when you know that there is going to be a reduction - you have estimated here \$338,000. Is it correct for you to give the ACT community the impression that you are increasing overall funding for mental health, or that there will be an increase in overall funding for mental health, when it is quite clear that, with this potential cut, there will be less?

MRS CARNELL: Mr Speaker, I brought down an ACT budget yesterday. I can guarantee that we are spending more money on mental health in my budget. I simply cannot predict what the Federal Government will do next week in their budget; nor can I underwrite the Federal Government's budget to say that, if they cut funding in a particular area, somehow the ACT will pick it up.

Youth Employment

MS REILLY: My question is to Mrs Carnell in her capacity as Chief Minister and Treasurer. Chief Minister, just two months ago you made a firm commitment at the youth unemployment symposium that you would commit \$1m to youth job creation schemes generated by the symposium. Is it not true that the funding of your *Creating Jobs for Canberra* for such programs adds up to only \$772,500, and that the announcements do not create any real jobs but offer only dubious training schemes?

MRS CARNELL: The answer is no, that is not the case. Also, I did not give a commitment to spend an extra \$1m at the symposium. I do not think anyone here was present at that time; I think Mr Whitecross was, but he is not here now. Mr Whitecross would know that what I said to the symposium was that if we had \$1m to spend on a jobs fund, which I knew we did at that stage, could the symposium please give me some feedback on how they would spend that, and they did. We managed to lead into our Jobs Now program, which is worth \$2.255m, not \$1m, which I think is a fairly impressive approach, plus our business incentive scheme, plus our marketing scheme, all of which will create jobs, to make \$4.5m, not \$1m. Of that \$2.255m, as I said, \$407,000 will be spent on 500 new traineeships, \$60,000 extra for Youth Joblink, and \$40,000 extra for the Youth Selfstart program. Those three were all recommended by the symposium, so the symposium recommended some \$600,000 worth of funding that we actually made available in this budget. They also recommended that we go down the path of giving tender preference to people who had put on trainees or were employing young people from Canberra and the region - something we have also embraced.

On top of that, we are spending \$625,000 on an accelerated data collection program. That is 25 real full-time jobs - in fact, they are all real jobs - in Urban Services. They are people we are going to employ. That \$625,000 is on top of the \$600,000 I have just set out. There is \$31,000 extra for a new security training program, which was put forward by the indigenous community to create some real jobs in the security industry. There is \$700,000 for the extension of the graffiti program, with 60 jobs.

There is \$118,000 for some extra courses in the New Future in Small Business program; 96 people will go through that. The interesting thing about that course is that it is for older people, people who have taken redundancies, and it has been remarkably successful. Over 50 per cent of the people who went through that course last year set up their own small businesses, and another one-third got jobs in the private sector after doing the course. That is a tremendously successful program, and its success is the reason we are expanding it. There is \$24,000 extra for Active Australia, and \$250,000 for extra civilian members of the AFP. Again, they are real people; they are real jobs. All of these are real jobs, and real people will get jobs as a result of the \$2.255m we have put in, not \$1m.

7 May 1997

MR SPEAKER: Do you have a supplementary question, Ms Reilly?

MS REILLY: Yes, Mr Speaker. As you have just outlined, Chief Minister, not all these jobs came out through the youth symposium. In fact, some of the jobs you have outlined were ones the Chamber of Commerce was particularly interested in, and all we will end up with is a further subsidy to business and no jobs.

MRS CARNELL: Mr Speaker, I think that was probably a statement. What is very interesting is that the Youth Coalition, who organised the symposium, came out with a press release yesterday saying that it was great, that they were really pleased the Government had got behind the youth symposium in jobs. Even today, I have had a phone call from the Youth Coalition saying that they want to have a round table discussion with CES and all the people involved, so that they can get this great new package on the ground, working quickly.

ACTEW - Payments to Government

MR OSBORNE: My question is to the Chief Minister regarding her budget claims of no new borrowings and no new taxes or charges. Chief Minister, in your budget it is indicated that ACTEW makes a number of significant payments to the Government. For the 1997-98 financial year this amounts to, including the usual dividend, about \$175m, which is about \$140m more than ACTEW were expecting. In the following financial year, once again including the expected dividend, around another \$132m is to be paid to the Government. Of this, \$100m, I think you confirmed last night on radio, was for the purchase of streetlight poles. Mrs Carnell, together these total well over \$300m over the next two years. Also contained in ACTEW's financial statements are their expected borrowings for the same period. These total \$193m. In other words, Mrs Carnell, of the \$240m over and above their normal dividends, ACTEW are going to borrow 80 per cent of that money. Yesterday, I remind you, you said that there were no new borrowings in this budget. You also said that it was up to ACTEW how they decided to raise the money. But it is obvious that it is already the intention of both ACTEW and the Government that about 80 per cent of this amount will be borrowed. Mrs Carnell, will you admit today that your budget does include borrowings and that you forced ACTEW to do the borrowing on your behalf?

MRS CARNELL: No. If Mr Osborne would like to have a look at the budget speech I delivered yesterday, we made it very clear that there would be no new borrowings in the ACT Government sector because that is the only area - - -

Mr Osborne: Oh, that is it; I am sorry.

MRS CARNELL: It is in there. That is the only area we actually have control over. How ACTEW or our other corporations determine to run their businesses is somewhat outside the control of this place. The reason we went down the path we did with ACTEW is that, as all those present would be aware, in our forward estimates we did

have \$100m for asset sales or for capital injection. Everybody has seen forward estimates before. We looked at the ways in which our \$100m could come back to the people of the ACT. Of course, that is the \$100m that funds our capital program, which is some \$94m this year, so it is spent directly on bricks and mortar, on extra capital assets for the ACT.

MR OSBORNE: On a point of order, Mr Speaker: I have just asked whether this budget contains borrowings. Mrs Carnell said no, the Government cannot dictate whether ACTEW has to borrow or not. I am happy with that answer and I do not need her to go on with the rest. I have a supplementary question, though, Mr Speaker. I think the answer was that the Government is not going to borrow any more money but ACTEW will.

Mrs Carnell: ACTEW may not.

MR OSBORNE: Okay, that is fine. Yesterday, Mrs Carnell, ACTEW management were adamant that at least part of these costs will be passed on to the consumer and they also refused to rule out job losses. Given this, do you still stand by your promise that none of the costs associated with this would be passed on to the ratepayer? As I remind you, you did say that this budget contained no new taxes or charges when, because of your decision to take the money from ACTEW, it does.

MRS CARNELL: I can absolutely guarantee that there will be no increases from ACTEW, and I will tell you why. I absolutely guarantee that there will be no increases as a result of the \$100m capital refinancing.

Mr Osborne: No; \$300m over two years.

MRS CARNELL: No; for this year and in the future as well, Mr Speaker. This capital restructuring in itself does not affect the price determination report that was put together as a result of Mr Osborne's - - -

Mr Osborne: Have you told ACTEW yet, Mrs Carnell? They said yesterday that it will be passed on.

MR SPEAKER: Order! This is not a dialogue.

MRS CARNELL: Mr Speaker, it certainly will not be passed on, and ACTEW are very well aware of that.

Mr Berry: Have you instructed them?

MRS CARNELL: I have not instructed them. The board of ACTEW were quite happy about this arrangement and, most importantly, so was the pricing commissioner. The pricing commissioner was put in place by Mr Osborne and this house. I think it is very important to quote from page 22 of the pricing commissioner's report, brought down last week. Those opposite would, of course, have read it before making the sorts

7 May 1997

of comments they have been making. It sets out on page 22 a debt-equity ratio comparison of ACTEW versus Energy Australia, Integral, SEQEC and lots of other energy providers in Australia, which shows that ACTEW's debt-equity ratio is by far the smallest. It then states:

As shown in the comparison, ACTEW has the lowest gearing compared with enterprises in both the private and public sectors. ACTEW's level of debt is substantially below the level that would be expected in a commercial business.

It goes on:

... too low a debt level may also create inter-generational inequity by shifting the burden of providing assets to service future generations on to the current generation, and possibly lead to suboptimal investment and management decisions.

It then goes on to say:

The level of debt and the level of cash retained within the business relative to what is paid to the shareholder is a matter for Government. However, the level of cash generation -

rather than holdings -

reflects upon the profitability of the organisation and is a concern of the Commission.

The cash generation is not affected by the amount of debt or the amount of cash necessarily that the entity holds, as put by the pricing commissioner. He goes on to say:

The determination allows ACTEW to cover its operating costs, fund its capital works, meet its debt servicing obligations and satisfy the Government's dividend expectations while still increasing its net cash holdings.

Mr Whitecross: But since then you have increased its debt servicing costs and changed the dividend policy.

MRS CARNELL: It says "while still increasing its net cash holdings".

Mr Whitecross: That is right, and since then you have increased debt servicing costs.

MR SPEAKER: Order! Would you be quiet, Mr Whitecross.

MRS CARNELL: Mr Speaker, the pricing commissioner himself suggested that we go down a capital restructuring approach. As he said, the approach we have at the moment can produce suboptimal management decisions, as those opposite will realise. I am sure Mr Osborne would realise, too, that it is significantly better for an entity such as ACTEW

to use either money in the bank investments or borrowings, if that is what they choose to do, to fund a return on investment for ACT taxpayers. They have revenue, therefore they can pay back a debt. In fact, that is what they have done since self-government. Whereas the ACT has ended up with a bigger debt every year, ACTEW now has virtually no debt.

Mr Osborne: Just admit it. Do not pretend it is not true. Do not stand up and say there are no new borrowings.

MRS CARNELL: Mr Speaker, I am interested that Mr Osborne makes the comment about ACTEW. Certainly, in the interview I heard with Mr Perkins yesterday afternoon, he made the point that ACTEW had virtually no debt and could handle this quite easily and that it would not affect their investments in other projects. The press release ACTEW put out yesterday stated:

Mr Perkins said that it is proper for the Government as the shareholders of ACTEW to decide on an appropriate capital structure for the organisation. Any capital repayment or dividend flowing to Government is then available for the Government to use for the benefit of the community.

After a period of successful commercialisation, ACTEW is virtually debt free and is in a position where it can finance the restructuring within debt levels typical of other utilities.

Mr Osborne: Why did Paul Perkins say they could pass it on to consumers? Why would he say that? Why would Paul Perkins say yesterday that this could be passed on to the consumer?

MR SPEAKER: Order! Chief Minister, there is no need to answer that question.

MRS CARNELL: Mr Speaker, ACTEW will not pass on any increases in costs as a result of the capital restructuring. By their very nature, they cannot. We have a pricing commissioner who sets the price, a pricing commissioner who has made it clear that ACTEW can handle extra debt without it affecting, as he rightly says here, their cash generating capacity. Those opposite do not understand this.

Capital Works

MR WOOD: Mr Speaker, my question is to Mrs Carnell. Chief Minister can you confirm that in your 1997-98 budget the total amount to be spent on capital works is \$28m less than Labor budgeted in 1994-95 and that you have cut total capital works spending by \$10m on last year? Is it not a fact that, using the MBA's employment multiplier, as you have done before and which you quote this time in the budget papers, the cut of \$28m results in the loss of 420 job opportunities in the ACT and that there will be another 150 job losses in the next year alone?

7 May 1997

MRS CARNELL: Mr Speaker, at some levels Mr Wood is right in the comments he makes, but the figures he is using combine budget-funded capital works with ACT Housing and ACTEW figures as well. I think that is the approach he is taking. The reality is that the \$94m that is available in this budget for government capital works is exactly in line with the forward estimates. It is exactly what we planned to spend, and we will do so.

One of the very good news stories out of capital works in this budget is that, as a result of the very sensible recommendations Mr Moore and his committee brought down, the expenditure on capital works in 1996-97 is expected to be within one per cent of budget allocation. That means that we will actually spend, I suspect, for one of the first times since self-government, the amount of money that was actually set aside in the budget on capital works, because we have gone down the path of preplanning, making sure that the projects are in the budget. In 1996-97 the budget figure was \$94.558m.

Mr Wood: This has not much to do with my question.

MRS CARNELL: You asked me to compare last year with this year. I cannot compare 1994-95 - I am sorry about that; I was not the Treasurer - but I can compare last year with this year. Last year the budget figure was \$94.558m. The estimated outcome of \$98.278m is published in the 1997-98 Budget Paper No. 3, but that includes \$3.63m in project delivery costs. These costs were identified separately in the 1996-97 budget. The \$94.558m figure for capital works last year, I think, compares very appropriately with the \$94m we have made available in this year's budget. Where there is some reduction in capital works is in the ACTEW area, because ACTEW has finished a couple of major projects. They simply do not have any major thing that they need to spend their money on at this time. That is always going to happen with utilities. They will have times when they have projects under way and they will have times when they do not.

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

MR WOOD: Yes, Mr Speaker. That was a long story that ignored the basic question, and the fact that, in this one area alone, capital works, the cuts have resulted in job losses. The Chief Minister does not want to comment on that.

MR SPEAKER: I would take that as a statement.

MR WOOD: There is no point in asking a question because you will not get an answer. You might as well make a statement.

MR SPEAKER: I will spare the Chief Minister's voice.

Tidbinbilla Nature Reserve - Road Upgrade

MS HORODNY: I will spare the Chief Minister's voice. My question is not for the Chief Minister; it is for Mr Humphries. Mr Humphries, yesterday you put out a media release boasting \$1m for conservation projects. You state that this \$1m will go to six major conservation and Landcare projects. Reading through the release, one of the six projects is a road upgrade through Tidbinbilla Nature Reserve and, going through the paperwork, I found that the costing for that was \$185,000. Can you explain why you have taken \$185,000 for a road upgrade and put that into the environment budget? Is this an indication of future environment budgets and the sorts of things we can expect to see in environment budgets?

MR HUMPHRIES: The fact is that the Government does need to engage in a number of things as a government to be able to facilitate improvement to our environment. If a road is going through an ordinary part of the Territory - if we are building a road from Calwell to Conder or wherever it might be - naturally enough that is a matter that falls within Mr Kaine's portfolio and ought to be dealt with as an ordinary road exercise. If we are building a road or upgrading a road or whatever in a part of the Territory such as a nature reserve, the only purpose of which is to facilitate access to an environmental asset like Tidbinbilla, I think it is quite reasonably treated as spending on the environment. My understanding is that that has always been the case in the ACT. Every government, including Mr Berry's Government, included - - -

Mr Berry: I never owned one.

MR HUMPHRIES: You might want to deny it, but you were part of one at one stage. Every government has included such works within the environment budget. I have to say, though, that I have nothing to apologise about for spending on the environment. I have to reject very comprehensively your own approach towards costing of matters in the environment. You have put out a release, I notice, talking about a \$1m cut in the environment budget by the ACT Government, based on a misunderstanding about the figures. You have attributed the contaminated sites program having ended as a cut in the budget. The thing for which the money was put aside is no longer required. That is why we are not spending the money anymore. It is not a cut to the budget. If I were you, I would check very carefully before I made any assertions about what is being spent on the environment or not spent on the environment.

MS HORODNY: That is an appalling answer, I must say. Roads are now part of the environment budget.

MR SPEAKER: We are not grading answers, Ms Horodny; we are grading roads. Ask your supplementary question.

MS HORODNY: It might be a good idea to grade the answers. That one would get minus 10, I can tell you. Does this mean that in the future upgrading roads around schools will mean that the budget for that will come out of the schools budget? Is that the logic behind what you are saying?

7 May 1997

MR HUMPHRIES: No; because all sorts of people use roads around schools, not just people who are using the school, unless the school is at the end of a long road where nothing else is there and you are only going to the school. I suppose you might count that as an education spending. No, roads around schools serve other purposes as well. A road through a nature reserve generally does not.

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

Employment Growth

MRS CARNELL: I would like to give some further information on the question asked by Ms McRae in question time today. Ms McRae indicated that the Access Economics forecast was minus 0.5, was it?

Ms McRae: No, 0.5; no minus.

MRS CARNELL: You said "minus 0.5".

Ms McRae: I probably did.

MRS CARNELL: Ours is 0.25. Mr Speaker, I have the Access Economics forecast for employment growth here.

Ms McRae: No; "a fall in employment of 0.5 per cent" is what I said.

MRS CARNELL: The Access Economics employment figures, according to the document I have, which is their forecast for all States, are suggesting an employment growth of 0.3 per cent. The ACT Government has used 0.25 per cent. Maybe it is not our modelling that Ms McRae should get; she should ask Access Economics for theirs. The fact is that what we have here is a projection from Access Economics that is virtually the same as the figures we have used in our budget - 0.3 versus 0.25. I think that makes it very clear that the approach we have taken is very much in line with theirs.

Totalcare Industries - Chief Executive

MR KAIN: Mr Speaker, I would like to provide an answer to a question I took on notice earlier from Mr Corbell. On 10 April Mr Corbell asked whether the chief executive of Totalcare Industries has sought or received a pay increase to reflect additional responsibilities flowing from the transfer of functions from the Department of Urban Services. The answer to that question is no. There has been no adjustment to the salary of the managing director of Totalcare Industries flowing from the transfer of functions from the Department of Urban Services. The remuneration of the managing director was last adjusted in October of last year, but that was long before the transfer of any functions took place. I am sure Mr Corbell would know that, in any case, the managing director's remuneration is a matter entirely for the board of Totalcare Industries to determine.

PAPERS

MRS CARNELL (Chief Minister): Mr Speaker, for the information of members, I present the ministerial travel report for 1 January 1997 to 31 March 1997.

Pursuant to section 12 of the Remuneration Act 1995, I also present Determination No. 13, including statement, for part-time holders of public office and Statements Nos 14 to 17 for chief executives and executives of the ACT Public Service, the Electoral Commissioner, the Auditor-General and the Director of the CIT.

CRIME AND SAFETY CONCERNS OF OLDER PERSONS Final Report of ACT Community Safety Committee - Government Response

MR HUMPHRIES (Attorney-General) (3.48): Mr Speaker, for the information of members, I present the Government's response to the ACT Community Safety Committee's final report entitled "The Crime and Safety Concerns of Older Persons in the ACT", which was presented to the Assembly on 11 December 1996, and I move:

That the Assembly takes note of the paper.

The Government released its three-year forward plan for older people in the ACT in 1995. An integral part of that plan focused on the safety and security needs of older people. Partly in response to our commitment to older people enunciated in that three-year plan, I asked the ACT Community Safety Committee to inquire into the crime and safety concerns of older people in the ACT. A number of references the committee had considered related to younger people, and I felt it was time to focus on the concerns of older people.

I had also been aware of concerns expressed by some commentators that many older people became prisoners of fear, isolated themselves in their homes and did not venture out to participate in normal social activities. In giving the reference to the committee, I was particularly interested to learn about the levels of the fear of crime experienced by older people in the ACT and to learn about the actual levels of victimisation among older people. The report indicates that in the ACT older people as a group are the least victimised across most crime categories. The evidence with respect to the crime fears expressed by older people is equivocal. Some research indicates that older people are more likely to be fearful of crime, while other research suggests that older people's fears are no more intense than those expressed by the population as a whole. On some measures, older people's concerns are lower than those of the rest of the community.

7 May 1997

Even so - and this is important - the research on the fear of crime experienced by older people suggests that, on most measures, the majority express feelings of safety. This is reassuring. Relative to other metropolitan centres, we do live in a safe city. We need to keep this balance in mind when we report on crime. This is not to minimise the trauma that individual victims of crime experience. When you are the victim of a crime, it is small consolation to learn that you still live in a relatively safe city. Support for victims of crime needs to be constant, and the Government is committed to facilitating that support.

The committee's recommendations are aimed at ensuring that accurate messages about the real levels of crime be conveyed to the community; that professional home safety advice be available to older people; that older people be encouraged to participate in crime prevention programs and other community initiatives; and that elements of urban design that are particularly relevant to the safety of older people be given high priority.

A detailed account of our responses to the recommendations of the report can be found in the document that I have just tabled. Briefly, I am happy to report that the Government is able to support all of the recommendations of the report. With respect to a number of the recommendations, substantial progress has already been made in developing policy and programs to meet identified needs. In March 1997 the Council on the Ageing, working with the Australian Federal Police, the ACT Fire Brigade and the ACT Ambulance Service, launched the home safety advisory service for older people. Those older members of the community who wish to have their homes assessed for safety risks can do so through this program, receiving impartial expert advice.

Both as a means of addressing misconceptions about crime levels and as a means of meeting a need for accurate data for planning, my department has commenced the compilation of a justice data series. Over the next 12 months we shall include selected crime data in the series and accompany its release with media statements which will accurately reflect crime rates in the ACT. The report recommended that older people be encouraged to participate in crime prevention programs. We have ensured that older people's views are represented on the ACT Community Safety Committee and encourage the participation of older people in voluntary safety committees.

Late last year I reported to the Assembly on the Government's positive response to the recommendations of the report "The Role of Urban Design in Crime Prevention and Community Safety". Those recommendations relevant to the safety of older people are fully supported and have been reflected in the planning and design of public place refurbishment commencing shortly in Civic in Garema Place, City Walk and Civic Square. Similar public place refurbishment has already taken place in the shopping centres of Narrabundah, Hughes and O'Connor, where issues such as lighting, paving and access have been critical considerations. The planning process for further public place refurbishment for other parts of Civic - East Row and Alinga Street - and the shopping centres of Manuka, Kingston, Yarralumla and Weston Creek will again use the principle of consulting widely with the public, and the issue of safety will be one of the major planning and design criteria.

In conclusion, I commend to the Assembly the Community Safety Committee's report on the crime and safety concerns of older people. Apart from the advice it offers by way of recommendations, it contains a welcome overview of the literature in this area and provides a cameo view of the situation in the ACT by providing data specific to the ACT. It pleases me to be able to report the Government's positive response to the recommendations. I thank the committee for its work on this reference.

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

PLANNING AND ENVIRONMENT - STANDING COMMITTEE
Report on Review of Auditor-General's Report No. 5 of 1996 -
Government Response

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (3.55): Mr Speaker, for the information of members, I present the Government's response to Report No. 24 of the Standing Committee on Planning and Environment, which was entitled "Review of Auditor-General's Report No. 5, 1996 - Management of Former Sheep Dip Sites" and presented to the Assembly on 11 December 1996. I move:

That the Assembly takes note of the paper.

Mr Speaker, I will not speak at length about this report, other than to say that there were three recommendations. One of those was that a public meeting be held in Watson to deal with the issue of sites at Watson which had been the subject of some concern by the residents there. Following the release of the Government's evaluation of the risk to residents and the bio-availability of poison in the soil, the view of residents at that place was that there should be no public meeting, that the issue should not be ventilated in that way, and the Government was happy to accept that recommendation and not proceed. The comments in the Government's response are quite straightforward.

Question resolved in the affirmative.

LAND (PLANNING AND ENVIRONMENT) ACT LEASES
Papers and Ministerial Statement

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning): Mr Speaker, for the information of members, I present the schedule of lease variations and change of use charges for the period 1 January 1997 to 31 March 1997 and the schedule of leases granted for the same period pursuant to the Land (Planning and Environment) Act 1991. I ask for leave to make a short statement.

Leave granted.

7 May 1997

MR HUMPHRIES: The Land (Planning and Environment) Act requires the tabling in the Assembly of a schedule of leases that were issued by direct grant during a quarter. The schedule I have tabled covers leases granted for the period 1 January to 31 March. I have also tabled two other schedules in relation to variations approved and the change of use charges for the same period. A record of all new leases and applications to vary crown leases is available for public inspection at my department shopfront at Dame Pattie Menzies House in Challis Street, Dickson.

On a previous occasion on which I tabled such schedules, the suggestion was made that the practice of tabling change of use charges, or betterment charges, was a practice that was used by the previous Government. I should make it clear that this is a new practice adopted by this Government. I am happy to make the information available for all members to see.

SOCIAL POLICY - STANDING COMMITTEE **Report on School Without Walls - Government Response**

MR STEFANIAK (Minister for Education and Training) (3.58): Mr Speaker, for the information of members, I present the Government's response to Report No. 3 of the Standing Committee on Social Policy, entitled "The implications of the proposed restructure of the School without Walls (SWOW) for the alternative education needs of secondary students in the ACT", which was presented to the Assembly on 10 December. I move:

That the Assembly takes note of the paper.

Mr Speaker, I am now able to present the Government's response to the Social Policy Committee report on the School Without Walls, or SWOW as it has come to be called. As members of the Assembly would be aware, the matter of the transfer of the alternative education program from Reid to its new location at Dickson College has been before the ACT Supreme Court. Until that matter was resolved through the court process, it was not appropriate to speak on it in this place.

Mr Speaker, the Government relocated SWOW to Dickson College in April 1997 because it has a responsibility to provide the best possible education for all students, and the advantages offered by relocation of the program could not be ignored by a responsible government. Dickson College was selected as the most suitable venue for SWOW for a number of reasons, one of which was the continuing history of informal links shared by Dickson College and SWOW.

Mr Speaker, the program established at Dickson College will cater more effectively for the majority of students who are in Years 9 and 10. They will have access to the eight key learning areas and greater educational opportunities. SWOW students will also have their own area within Dickson College and their own teachers. In fact, that has occurred already, because they are in situ. Throughout the process, Mr Speaker, the Government has maintained its commitment to the education and welfare of SWOW students.

Every effort has been made to enrol SWOW students in programs suited to their particular needs. Of the 34 students enrolled at SWOW at the beginning of the 1997 school year, 22 enrolled at Dickson College. Of the remaining 12 students, six enrolled at Narrabundah College, three enrolled at the CIT, one enrolled in distance education, one remains undecided and one mature age student has decided not to continue her studies.

Mr Speaker, the Government will continue to closely monitor the progress of former SWOW students and the alternative education program at Dickson College. Throughout the review process and the relocation of SWOW, the Government has honoured its commitment to consult and involve the community. We have established mechanisms to enable the SWOW community to contribute to the refocused program at Dickson. We are confident, Mr Speaker, that a productive relationship will be developed between Dickson College and the community at the alternative education facility.

I now address some Government concerns. Mr Speaker, the decision to relocate SWOW was not made lightly. The Government considered all the issues before deciding to relocate SWOW. The Government was aware that reviews of SWOW had been undertaken in the past, some of which highlighted community support for SWOW. But, Mr Speaker, serious concern was expressed about the ability of the school to cater for the diverse needs of students enrolled there in 1996. The Government was increasingly concerned that SWOW students were not being provided with adequate education programs.

Over the years, Mr Speaker, since its establishment in the mid-1970s, the SWOW curriculum was directed at meeting the education requirements of academically able Years 11 and 12 students. No formal provision was made for those students in Years 8, 9 and 10, and most importantly there was no evidence that this was likely to occur in the future. It became obvious, too, Mr Speaker, that student assessment and reporting processes were inadequate. Resource management strategies also needed considerable improvement. As a result of these concerns, the Government conducted a further review of SWOW midway through last year. The review concluded that the best way to meet the needs of the students was to link SWOW to another school or college.

Mr Speaker, when an interim injunction not to relocate SWOW was issued by the Supreme Court on 15 January 1997, the Government did not appeal. SWOW reopened at Reid at the beginning of the 1997 school year. The decision to relocate was further strengthened by the overwhelming evidence presented to the court of the difficulties being experienced at SWOW. The Supreme Court agreed that an alternative education program could be established at Dickson College, and many of the SWOW students enrolled at this facility when it opened. Mr Speaker, when the interim injunction was discharged, SWOW officially relocated to Dickson College on 14 April this year.

I want to make it very clear, Mr Speaker, that the Government had no choice but to respond to the SWOW problems. These problems were seen to be significant, and they needed firm and speedy attention. They included the lack of a specific education program for high school students, the absence of accountability mechanisms, and the need for greater assistance for students with special needs. The Government believed, and still believes, Mr Speaker, that the remedy lies in a new start to meet the needs of students in 1997, rather than a continuation of the 1970s approach. This new start is what we are

7 May 1997

embarking on with the alternative education program at Dickson. It is truly an alternative program. It is certainly not the same program that has been running at SWOW over the last couple of years. It is a program which provides the best possible education for all the students who need an alternative education option.

I turn now, Mr Speaker, to the main elements of the Government's response. It is important to emphasise that the report of the Social Policy Committee on SWOW is not a unanimous report. There is a strongly dissenting report presented by Mr Harold Hird, one of the three members of the Social Policy Committee at the time. I also take note of Ms Reilly's claim that she had no conflict of interest in her activity as a member of the committee investigating SWOW matters and her other link with SWOW.

The first recommendation, Mr Speaker, is that the Department of Education and Training develop a policy on community consultation relating to school reviews outside the normal school development cycle. The Government agrees in principle with this recommendation and will ask the Department of Education and Training to develop the policy framework on community consultation in school reviews outside the school development process. In fact, Mr Speaker, the Government is already acting along these lines following a recommendation from the Ministerial Advisory Council on Government Schooling in its report of December 1996 on management of secondary school enrolments. Copland College is conducting a review of its operations, with a high level of community consultation. While its review is not outside the school development process, it will, I am sure, Mr Speaker, provide some useful examples of good practice to be considered in the formulation of a policy framework.

However, Mr Speaker, the Government notes that the minority report disagreed with this recommendation and supported the need to review schools in a flexible, responsive manner. We would hope to get this right, Mr Speaker. I would hope we can retain the flexibility required to act quickly and decisively when the occasion demands but also to ensure that, through effective community consultation over time, the demands for urgent action are few and far between.

The second recommendation, Mr Speaker, is that the Department of Education and Training, in the administrative linking of the SWOW program to another school, ensure that the new alternative education program remains a separate entity and is not just swallowed up into the larger organisation. The recommendation also seeks additional resources for the program. Mr Speaker, the Government cannot fully support any recommendation for additional resources for any specific program such as this. We support the view put forward by the minority report that the alternative education program at Dickson College should receive the same level of resourcing as other ACT schools. However, the Government does agree that the alternative program at Dickson should preserve its own identity as far as possible. Mr Speaker, the principal of Dickson College will ultimately be accountable for the education of students enrolled in the alternative education program. The principal will oversee all student and staffing matters, including attendance, welfare, supervision, and assessment and reporting.

The third recommendation, Mr Speaker, is that the alternative education program continue to operate in line with the current philosophy and key principles until a change is justified. The Government has agreed that the alternative program will operate as far as possible under current philosophy and key principles. However, the Government agrees with the minority report that it is up to a school community to decide its philosophy. I have already stated that the alternative education program will be much better than the former SWOW program. Some modification must be made to address educational and duty of care requirements for Years 9 and 10 students. Appropriate accountability mechanisms, which did not operate effectively in SWOW, need to be established in the new alternative education program. Mr Speaker, changes are inevitable, given that the SWOW philosophy was developed in the 1970s; but any changes to the philosophy and key principles will be negotiated with the community. The Government will continue to consult the community on the operation of the alternative education program at Dickson College.

The fourth recommendation, Mr Speaker, is that Years 11 and 12 be retained as part of the refocused SWOW program. The Government has made a commitment to continuing the education programs of current SWOW students enrolled in Years 11 and 12. Reports on the progress of the alternative education program indicate that the Years 11 and 12 students have assimilated well into the Dickson College environment.

Mr Speaker, the fifth recommendation of the report indicates that the Government should not use the name "School Without Walls" or "SWOW" without the agreement of the SWOW community. The Government agrees with this recommendation. The Government will consult with parents of students in the alternative education program at Dickson College and the community about an appropriate name for the facility.

The sixth recommendation, Mr Speaker, is that the Government not relocate SWOW to Dickson College but establish a twin campus arrangement for the refocused SWOW from the beginning of the 1997 school year. The Government does not agree with this recommendation and has relocated SWOW to Dickson College. It believes that the long-term twin campus arrangement would not solve the problems at SWOW. The Government notes, Mr Speaker, that the minority report agrees with the Government decision to relocate SWOW to Dickson College. The minority report indicated that SWOW students would have access to a wider curriculum at Dickson College and staff would benefit from the administrative support. As I have stated, Mr Speaker, the decision to relocate SWOW to Dickson College was made primarily for the educational wellbeing of the students. Dickson College was chosen because of the informal links already established between the schools. The alternative education program at Dickson College offers a more suitable learning environment, a broader curriculum, improved administration and support for students and teachers, and access to a much wider range of resources than were available at the old Braddon site.

The last recommendation, Mr Speaker, is that the Government engage an independent professional to facilitate negotiation between the parties on outstanding matters relating to the location and refocusing of SWOW. The Government does not believe it is appropriate to implement this recommendation. The minority report disagrees with

7 May 1997

this recommendation. The court action and events subsequent to the release of the Social Policy Committee report have overtaken the action proposed by this recommendation. Quite simply, it is no longer an option.

As the Government response indicates, the Government recognises that there are still issues to be resolved. Members of the Assembly can be assured that Government representatives will continue to maintain dialogue with the SWOW community and the former SWOW board until there is no further need. Mr Speaker, the Government will continue to monitor the progress of the alternative education facility at Dickson College. We will work with the community to ensure the program meets its objectives and fully meets the educational needs of those students who, for whatever reason, seek a genuine alternative education.

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

QUESTIONS WITHOUT NOTICE

Employment Growth

Ms McRae: Mr Speaker, I would like to take a point of order. The Chief Minister quoted from a piece of paper during question time. I am sorry I was not quick enough then to ask for the paper to be tabled. In the absence of the Chief Minister, I wondered whether I could ask the Manager of Government Business to table the Access Economics sheet that Mrs Carnell quoted from when she gave me extra information about the question that I asked today. I realise that such a request is normally made straight after question time, but I did not have the opportunity to do that, because the presentation of papers overtook the event.

Mr Humphries: Mr Speaker, I will take the matter up with Mrs Carnell.

PLANNING AND ENVIRONMENT - STANDING COMMITTEE Report on Draft Variation to the Territory Plan - Residential Land Use Policies

MR MOORE (4.10): Mr Speaker, I present Report No. 27 of the Standing Committee on Planning and Environment, entitled "Draft Variation to the Territory Plan (No. 58): Residential Land Use Policies". I move:

That the report be noted.

Mr Speaker, draft variation to the Territory Plan No. 58, to do with residential land use policies, relates to the draft variation proposal to prohibit multiunit development, through subdivision or lease variation, of single dwelling residential blocks until five years after completion of the original dwelling and to recognise the role of approved community advisory committees on planning, currently known as LAPACs, or local area planning advisory committees.

Mr Speaker, the Assembly committee has approved this variation, but it does make a series of recommendations. Recommendation 1 states:

The committee endorses the draft Variation to the Territory Plan (No. 58): 'Residential Land Use Policies'.

Recommendation 2 states:

The Standing Committee on Planning and Environment recommends that the Government review the procedures and processes used to handle draft Variations, with the aim of significantly reducing the time taken for a draft Variation to reach the Planning and Environment Committee and, subsequently, the Legislative Assembly.

Recommendation 3 states:

The Standing Committee on Planning and Environment recommends that the Government speed up the review of B1 and quickly announce the Government's response to the review, including its response to the desirability of new Guidelines - and then facilitate their speedy referral to the Standing Committee on Planning and Environment. This recommendation reflects the Committee's disappointment - and frustration - about the Government's delay in bringing forward revised proposals to the B1 Areas.

Mr Speaker, the committee also felt disappointment and frustration at the request being made to the committee by the Minister that we deal urgently with draft variation to the Territory Plan No. 58 after there had been some delay, I understand in the Minister's office, in getting it to the committee. This has become almost a habit with this department and draft variations. Finally it gets through to the committee and the committee is told, "There is a great urgency about this. Can you respond quickly?". Every time, we have responded as quickly as possible. There was some delay in our response on the draft variation that dealt with transportable homes, and with good reason. In fact, we made a statement to the Assembly explaining our reasons.

Mr Speaker, it seems to me that the issues before us in draft variation No. 58 are in themselves fairly straightforward, but I think they raise a number of other issues. In this area I have made comments additional to those made by the rest of the committee. Those additional comments are appended at the back of the report. This variation raises the issue of how we deal with dual occupancy. When this variation goes through - I imagine it will do so fairly rapidly - there will be no dual occupancies in new areas for the first five years.

It seems to me that allowing dual occupancies throughout Canberra, apart from those areas, at any time is an abrogation of planning responsibility. If we believe that it is appropriate for us to have dual occupancies in given places at given times, then let us identify exactly where and exactly when we want those and how many we want in

7 May 1997

any given area. Exactly the same planning principles should apply to dual occupancy as apply to any strategy for redevelopment of any part of Canberra. It is a redevelopment strategy and, as I say in my additional comments in the report, should be dealt with by the Government.

When the Government is dealing with the issue of B1 - in other words, areas where we wish to encourage redevelopment - it should also take into account dual occupancies. It may well be that we wish to identify further areas - we may call them B1A or we may call them something entirely different - where there are big blocks and appropriate reasons for redevelopment of this type.

I recognise that there is already a limitation on dual occupancies, in that there must be a certain size block. That part is covered. However, what concerns me and what concerns many people in Canberra is that there is no restriction on the number of dual occupancies that you will eventually find in a suburb. It may well be that social guidelines simply say that in any given area we will allow 10 per cent or 20 per cent of the area to be redeveloped by dual occupancy. These are issues that need to be considered in the public debate. I believe they should be part of the B1 guidelines that we are told are being developed.

Mr Speaker, the fact that I have made additional comments indicates that I fully support the recommendations of the committee. They are unanimous. The additional comments say that I think we should have gone further. They should be taken in that context. I commend this report of the Standing Committee on Planning and Environment to the Assembly.

MS McRAE (4.17): Mr Speaker, when the Government responds to the report, we deserve a little more than the Minister simply saying that he does not know how it is that the papers did not go through his office in time. We need some reassurance about the processes that are used. It is not acceptable that something like this should take so long and be discovered only by mistake, by chance, so much later down the line that this variation now has to be dealt with in a context where the B1 guidelines are being reviewed and we have inadequate information.

The review of the B1 guidelines, I understand, has been slowed because of the care with which the consultation is being undertaken. I applaud consultation, because this issue is of intense concern to quite a few people - a small number, but they are insistent and worried about it. I am confident that the consultation process is being undertaken with great diligence. However, I think it is time it was wound up and we saw the new guidelines.

I dissociate myself entirely from Mr Moore's comments because I find his approach entirely disingenuous. Here we are being asked to pick out every block in the ACT where a dual occupancy may happen at the same time as we have before us in the Assembly legislation which abolishes B1 altogether, which abolishes any further redevelopment on current blocks. Mr Moore may or may not have made his comments in a fit of temper -

he was quoted in the *Canberra Times* as saying he had become tired of it all - but they have caused a very high level of consternation within the community. People now believe that it is possible to get rid of B1 altogether and that if we go down Mr Moore's path we might not allow dual occupancies unless they are predetermined in the Territory Plan.

I do not agree with that approach. I am confident that the process of the Territory Plan did establish sensible zoning for redevelopment. Now mischief is being done, and I am very unhappy that people earnestly believe that through my vote I could abolish B1 and that I am being lobbied on that basis. I think it is walking away from a very thorough process of consultation leading up to B1. We are now reconsulting and refining the process. As I said, I applaud the level of detail with which that is being gone into, but I am very unhappy that it has taken so long.

I do not believe that we have abrogated our responsibility in terms of dual occupancies throughout the rest of Canberra. By the time you finish consulting with everyone on earth, plus every blade of grass, plus the sky, it is almost impossible to get a dual occupancy. Let me not be silly. They are just, sensible and thorough rules that some people object to. Other people do not object to dual occupancies, but they have to go through a very thorough consultative process which has been worked through. I do not walk away from that. I think we should applaud the people who diligently set about trying to establish rules that satisfy people.

I do not support the idea of reopening the notion of somebody designating some blocks for dual occupancies and some not. We must remember that a dual occupancy can be simply an additional quite small room with a kitchen in it. If we allow that, I do not see any reason to go down the path that Mr Moore has suggested. Mr Moore may not see the connection between dual occupancy and B1, but other people do. I am flagging now that we should very rapidly get back into the B1 debate and complete it. A growing body of people believe that Mr Moore, in good faith, has put in legislation to abolish B1 but that a major disappointment is looming for the Government with this legislation still before the Assembly. It raises people's aspirations and hopes, I think unfairly and inappropriately but in a way which we may end up acting on.

All of this arises because of delays in B1 that I have been gentle about. The slowness of this variation coming before the committee perhaps indicates some lack of attention to detail in the Minister's office. I hope this has served as a lesson and that the Minister will give us some guidance - I do not care about an explanation - as to how this will be avoided in the future. One cannot underestimate the depth of emotion and energy that some people are willing to put into these issues. We probably know them all personally. Collectively in the Assembly, we could probably list them. I respect their rights to get involved in these debates. I am very concerned that by our collective activities here we are feeding that frenzy and opening up hope that B1 may be abolished or that all dual occupancies may be signed up in the plan on paper before people have even put in an application.

7 May 1997

I distance myself entirely from the committee chair's additional comments. I applaud the report to the Assembly and look forward to the variation going through. I urge the Minister to put on more staff or do whatever he needs to do to accelerate the quite thorough process that he has begun. Finish it off so that we can end the debate on the abolition of the B1 zone well informed.

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

NORTH CANBERRA - B1 PLANNING ZONE Ministerial Statement

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning): Mr Speaker, I seek leave to make a short statement about the B1 guidelines and their tabling in this place.

Leave granted.

MR HUMPHRIES: Mr Speaker, I advise the Assembly that I have in fact signed off the new B1 guidelines and it is my intention that they should be available for people living in the B1 area to see first. I understand that the proposed guidelines will be circulated the weekend after next. That is the first available date on which that can occur. I am hoping to make copies of the guidelines available to members in advance of that, on the strict understanding that they are for their attention only and that residents of that area ought to see them in their own letterboxes before they hear about them from politicians, see them in the hands of community organisations or whatever. That is the expected timeline for the guidelines.

PLANNING AND ENVIRONMENT - STANDING COMMITTEE Inquiry into John Dedman Parkway - Statement by Chair

MR MOORE: Mr Speaker, I wish to make a statement pursuant to standing order 246A and in accordance with the resolution of the Assembly of 20 February 1997. On 20 February 1997 the Standing Committee on Planning and Environment was asked by the Assembly to formulate formal terms of reference for an inquiry into John Dedman Parkway. Further, the Assembly asked the committee to announce these terms of reference, and the committee's reporting date, to the Assembly during the May sittings. The purpose of this statement is to advise members of the terms of reference that were adopted by the committee at our meeting on 6 May 1997.

In finalising the terms of reference, the committee took account of two key factors. The first factor is the text of the three Assembly resolutions on this matter. On 19 February this year the Assembly resolved:

That, in line with the recommendations of the Report on Gungahlin's Transport Links by the Parliamentary Joint Committee on the Australian Capital Territory, the Government not make any decision on the route and timing of the proposed John Dedman Parkway until the Government has responded to the Planning and Environment Committee on, and the Committee has reported to the Assembly on, the Government's proposals with respect to the following:

- (1) the completion of the Future Public Transport Options Study initiated in response to the Joint Committee's Report and acted on its recommendations;
- (2) the development and implementation of a detailed strategy of measures to facilitate the use of public transport and other non-car modes of transport by Canberra residents, particularly including Gungahlin residents;
- (3) the development and implementation of a strategy to reduce the number of vehicles travelling between Gungahlin and Civic or other southern destinations, such as by encouraging employment opportunities in Gungahlin and restricting employment growth in Civic;
- (4) the development of a plan for a possible eastern ring road from Gungahlin and the Barton Highway to Central Canberra and the Monaro Highway via an upgraded Majura Road, to complement the public transport system.

On 20 February this year the Assembly resolved:

That:

- (1) the Planning and Environment Committee undertake a wide-ranging inquiry into the future route of the John Dedman Parkway;
- (2) this inquiry should take into account the results of the current Maunsell study, the Government's response to it, other transport inquiries held in the ACT, the impact of the proposal on other arterial roads and other relevant matters;
- (3) the Committee announce the formal terms of reference of the inquiry and the date of reporting during the May Assembly sittings.

7 May 1997

On 10 April 1997 the Assembly resolved:

That:

- (1) the inquiry by the Standing Committee on Planning and Environment into the future route of the John Dedman Parkway include an examination of:
 - (a) the existing traffic levels on Ginninderra Drive and Mouat Street, Lyneham;
 - (b) the impact on the traffic levels on these roads of any transport proposals arising out of the Maunsell Study of the Committee's Inquiry; and
 - (c) the benefits and costs (including the impacts on other North Canberra suburbs) of extending Ginninderra Drive to Northbourne Avenue as a means of alleviating current and predicted future levels on Mouat Street;
- (2) the Government not proceed with the installation of traffic lights at the corner of Mouat and Brigalow Streets, Lyneham, or other associated roadworks on Mouat Street until the Standing Committee has reported on its Inquiry and the Government's response has been debated in the Assembly.

The second key factor that the committee took into account in finalising terms of reference for the inquiry is the fact that the three Assembly resolutions require the Planning and Environment Committee to take into account Government decisions that have not yet been made and that might not be made for some time, including decisions about the future public transport options study, the Maunsell study, a strategy to facilitate public transport and other non-car modes of transport, a strategy to reduce vehicle movement between Gungahlin and Civic or other southern destinations, and a decision about the merit or otherwise of an eastern ring road from Gungahlin to Central Canberra via an upgraded Majura Road.

In view of the important decisions yet to be made by the Government, and in view of the considerable degree of community interest in proposals for both the John Dedman Parkway and the Ginninderra Drive and Mouat Street area, the committee urges the Government to do everything possible to speed up its decision-making processes in the above areas. This would demonstrate the Government's respect for the community and for the tight timeframe in which the committee is operating.

In the latter regard, the committee advises the Assembly that it wishes to report by 25 September 1997, the last sitting day in September. Given this background, it seems to the committee that it must start its inquiry by focusing, in the first instance, on issues surrounding the Ginninderra Drive and Mouat Street area. The committee intends to place advertisements in the local press this weekend, inviting public comment on the complete terms of reference but with special emphasis on the Ginninderra Drive and Mouat Street area in Lyneham.

For the benefit of members, I read out the formal terms of reference adopted by the committee:

That the committee inquire into and report on proposals for the John Dedman Parkway and Ginninderra Drive/Mouat Street, Lyneham, taking account of:

the Maunsell study and the Government's response;

other transport inquiries and studies held in the ACT, and the Government's response;

the impact of the proposals on arterial roads;

the desirability of improving the use of public transport and other non-car modes of transport;

the desirability of reducing the number of vehicles needing to travel between Gungahlin and southern destinations;

the desirability of siting an eastern ring road from Gungahlin and the Barton Highway to other parts of Canberra via an upgraded Majura Road;

existing and future traffic levels on Ginninderra Drive and Mouat Street, Lyneham - and the Government's proposals for traffic lights and other roadworks in the Mouat/Brigalow Streets area;

existing and future traffic levels on roads in North Canberra and the impact of the proposals on the residential amenity; and

any other related matter.

Further, that the Committee report to the Assembly by 25 September 1997 (the last sitting day in September).

7 May 1997

MITCHELL WASTE DISPOSAL STATION

Debate resumed from 17 April 1996, on motion by **Mr Hird**:

That this Assembly calls on the Minister for Urban Services to give due consideration to conducting a feasibility study to upgrade the Mitchell Waste Disposal Station to accommodate surplus household waste.

and on the amendment moved by **Mr Moore**:

That the following words be added to the motion: "to be located at the former Ainslie Transfer Station".

MS HORODNY (4.31): Mr Speaker, this motion is effectively about providing more facilities for the collection of household waste and is in contradiction of the Government's commitment to no waste going to landfill by 2010, as outlined in their waste management strategy for Canberra. It is also contrary to the national waste management strategy, which the ACT Government has endorsed, which seeks to reduce waste going to landfill by 50 per cent by the year 2000, based on 1990 levels. What the Government should be doing is examining ways of reducing waste generation overall and of recycling more of our waste, and not examining ways of making it easier for people to dispose of whatever waste they want to produce.

The proposal for a feasibility study to upgrade the Mitchell Waste Disposal Station cuts across work that needs to be done to implement the ACT waste management strategy. What we should be doing is looking at waste management in a holistic way across the ACT, with a specific focus on implementing ways of reducing the total amount of waste being generated. A proposal to establish a Mitchell waste disposal station merely for collection of surplus household waste would pre-empt the broader decisions that need to be made about waste reduction measures in the ACT. The ACT already has one of the best household recycling schemes in Australia. We do not want to go backwards by simply setting up mechanisms to dispose of those household waste items that are currently difficult to dispose of through the existing collection system. What we should be doing is examining ways of setting up new recycling schemes for these items, not sending them to landfill via Mitchell.

Also unclear from the motion are the financial impacts of this proposal. At present people disposing of surplus waste at landfills are required to pay a tip fee. If transfer stations are set up away from the landfills, then there should also be a fee levied on waste disposed of at these transfer stations so that people cannot avoid paying the levy. The administration involved in establishing a fee collection facility at a small and relatively less frequented transfer station may be quite inefficient.

We will therefore oppose this motion as it stands and will move our own amendment to it. We will also oppose Mr Moore's amendment, which refers to the Ainslie Transfer Station. The old transfer station at Ainslie is not in the best location for an expanded materials recycling facility. It is surrounded by the Canberra Nature Park and is relatively close to houses in Ainslie. At present the site is a real mess due to the dumping there of

various roadmaking materials by the Department of Urban Services and some illegal dumping of household waste. The site is also getting overgrown with weeds. It would be better to rehabilitate this site and incorporate it into the nature park and build a purpose built recycling centre in a more appropriate area in Mitchell.

Mr Speaker, I will be moving an amendment in an attempt to turn this motion into a positive statement for recycling. There may indeed be scope for establishing a transfer station in Mitchell for the collection of waste materials which are too bulky to be included in the household recycling collection system and which can then be transported on to the appropriate recycling facilities. There could also be the co-location of businesses there which can reprocess the waste material on site to produce value-added products. This could be a very valuable job-creating initiative, as there are certainly more local jobs generated in recycling waste than in just dumping it in the ground. A proposal has been put forward by at least one business, Waste Want, for establishing a recycling estate in Mitchell along these lines, but the Government has not been very helpful to them. My amendment will provide a much-needed boost to this initiative. (*Quorum formed*)

Amendment negatived.

Amendment (by **Ms Horodny**, by leave) proposed:

Omit “accommodate surplus household waste”, substitute “create an expanded waste recycling collection facility and a recycling estate”.

MR HIRD (4.38): I will both exercise my right of reply on the motion and speak to Ms Horodny’s very sensible amendment. Members may recall that this motion came into this place nearly 14 months ago. In my opening remarks, I outlined the very essence of the amendment Ms Horodny has put before the house this day. The future disposal site in the Mitchell area should be negotiated very carefully, because the existing site is not suitable for the workloads that will need to be undertaken in this facility. I would suggest that the site will be determined following a feasibility study undertaken by consultants with the planning group and the Department of Urban Services. The needs and requirements of the citizens of that area, in particular Gungahlin and North Canberra, should also be sought and considered.

I am delighted that the amendment that was put forward by our colleague Mr Moore was defeated. It proposed going back to a very expensive system that does not fit in with the policies of the Government in respect of waste management. The Government is conscious of its obligations and desires to make our environment more acceptable through the waste management strategies outlined by the Minister three or four months ago to eliminate waste by the year 2010. Waste can be recycled in many ways. I can recall soil erosion causing concern to farmers on rural leases in the Territory and that problem being resolved by recycling soil. I agree with Ms Horodny about recycling. I trust that all members of the chamber support the strategies of this Government to have no waste by the year 2010. I commend the motion and the amendment to the house.

Amendment agreed to.

Motion, as amended, agreed to.

ACTON PENINSULA - DEMOLITION OF BUILDINGS
Motion

MS HORODNY (4.42): Mr Speaker, I move:

That, consistent with the Government's Waste Management Strategy and recognising that recycling activities do create jobs and conserve resources, this Assembly calls on the Government to:

- (1) not demolish the buildings on Acton Peninsula by explosion;
- (2) not transfer any building rubble from Acton Peninsula to Fairbairn Park; and
- (3) take every effort to sort and recycle the demolition materials from the Acton Peninsula buildings, particularly through the use of the Pialligo demolition waste recycling facility.

I am putting forward this motion as I am very concerned about the Government's plans for the demolition of buildings on Acton Peninsula. Let me say up front, however, that this motion is not about attempting to stop the demolition of the Acton Peninsula buildings. We accept that we have lost that battle and that the land swap agreement is now in place.

What I am concerned about is the Government's attempt to solve two problems with its planned blow-up of the Acton buildings: Firstly, what to do with all the demolition waste; and, secondly, what to do about the noise problems from the motor racetracks at Fairbairn Park. I am sure that the Government thought it was quite smart in seeming to solve these two problems in one big bang - pardon the pun - but, as far as we are concerned, blowing up the Acton buildings and trucking the rubble to Fairbairn Park is a poor way of recycling the demolition waste and will not solve the noise problems at Fairbairn.

Let me now deal with these two issues separately. Regarding the demolition waste from the Acton buildings: I asked the Chief Minister a question about this yesterday; but, as usual, she evaded the real point of my question. I know that there is some recycling of building materials occurring at Acton Peninsula, which is great; but I am most concerned about the demolition of the two main buildings - the main hospital block and Sylvia Curley House - which are planned to be blown up. It is good to hear the Chief Minister say that the fittings and some of the building materials from these blocks are being recycled, but the main structure of the building - all the bricks and concrete - is not being recycled. This amount has been estimated at nearly 60,000 tonnes, or about 35,000 cubic metres, of rubble.

The Chief Minister is really pushing the bounds of truth here by claiming that moving this rubble to Fairbairn Park is really and actually recycling. Recycling is about taking waste materials and processing them in some way, so that they can be reused either in similar new products or in another product; it is about adding value to the waste. The Government's own waste management strategy defines recycling as "the returning of materials to a previous stage in a cyclic process or the conversion of waste into reusable materials". Bricks are normally recycled by cleaning them and reusing them, creating jobs; that is, real jobs for real people. Concrete is recycled by crushing it, removing the reinforcing steel for reuse in steelmaking and reusing the concrete aggregate in new concrete or in roadmaking. Dumping the rubble in Fairbairn Park to form noise mounds is not reusing the materials in the most valuable way; it is just moving a pile of rubble from one location to another.

The Government released its waste management strategy last year, with the bold target of no waste to landfill by 2010. The statistics on waste generation in the ACT show that builders' waste is a major problem. The amount of builders' waste going to ACT landfills is about a quarter of all waste and is more than the total amount of household waste. This does not take into account the builders' waste that is trucked into New South Wales or dumped at the unofficial tips around the ACT, such as the Palmerston tip.

Some demolition waste is being processed at the recycling plant at Pialligo, but it is not working to capacity and has not enough supply to meet demand. If the waste from Acton went to the Pialligo plant, it would receive a big boost and it could mean up to six workers being put on for a year; that is, real jobs for real people. The Government needs to show that it is committed to its own waste strategy and is prepared to use the waste recycling facilities that it helped to establish. The recycling of the landmark Acton Peninsula buildings would send a clear message to the community that this Government is committed to waste reduction and recycling, particularly of building waste.

Turning now to the Fairbairn Park side of this issue: The handling of the noise problems from the racetracks at Fairbairn by all ACT governments has been an ongoing debacle. The residential area that is most affected by the noise is the Ridgeway in New South Wales, which was first developed in 1971. Motor sport activities commenced at Fairbairn Park, at block 306, in 1976. There has never been a full environmental impact assessment of the motor sport activity, despite the expansion of the motor sport over this time into five separate tracks catering for a wide range of racing vehicles.

After considerable lobbying by the Ridgeway Residents Action Group, the current Government requested the Commissioner for the Environment to undertake an inquiry into motor sport noise from Fairbairn Park. The commissioner found that the noise from the motor sport was excessive at the nearest residences and that the Government system of giving regular exemptions to the race events under the Noise Control Act was the wrong way of managing the excessive noise. The Commissioner for the Environment reported in August 1995, and we are still waiting for the Government's response to this report; that is, we have been waiting for nearly two years.

7 May 1997

While noise problems are still to be resolved, we have heard that particular sections of the motor sport community in the ACT have been lobbying the Government, particularly the Sport Minister, Mr Stefaniak, to allow the expansion of the Fairbairn Park complex. A proposal has been developed to allow the Fairbairn Park Control Council to have a 20-year lease over block 306, thus giving the motor sport activity a permanent home. In addition, we have heard that the Motor Sports Council wants to take over the adjoining block - that is, block 515, right on the corner of Sutton Road and Pialligo Avenue - to build a whole new speedway.

Mr Humphries: We have denied that, Lucy; you will not listen to us.

MS HORODNY: You can deny it in your speech; that is all right. This speedway is intended to be a replacement for the Fraser Park speedway on the other side of Hume in New South Wales which, ironically, has only 18 months of its lease to run, and it is unlikely to be renewed because of the closeness of this track to the Jerrabomberra estate residential area. This is a real worry to the Ridgeway residents, because the sprint cars that run at Fraser Park are louder than the types of vehicles currently raced at Fairbairn Park and they race regularly at night. It seems the amenity of the Jerrabomberra residents is more important than that of the Ridgeway residents.

We have also heard that the rubble from Acton Peninsula is not going onto block 306, the existing Fairbairn Park complex, but onto this new lot, block 515. The Fairbairn Park Control Council, in fact, has already made arrangements with a different contractor to build noise mounds around its tracks on block 306. Yesterday Mrs Carnell said, in response to my question without notice, that there would be no new speedway built at Fairbairn Park. This is very odd, because there are many people in the motor racing community who have spoken to Mr Stefaniak on this matter and are expecting this new speedway to be approved. I call on the Chief Minister to again say that there will not be a racetrack built on block 515 and I call on Mr Stefaniak to also say the same thing. If the building rubble is not going on block 515, perhaps the Chief Minister could tell us exactly where these noise mounds are going to be built and how high these noise mounds will be.

A consultant's report by Renzo Tonin and Associates that examined the noise impacts of Fairbairn Park found that noise mounds, even if they were as high as 16 metres or at least the height of a five-storey building, would still do little to reduce the noise experienced at the Ridgeway to acceptable levels, because of the elevation of the Ridgeway relative to the tracks and because the prevailing winds blow from Fairbairn across to the Ridgeway. Noise barriers work effectively only where they block the line of sight between the noise source and the receiver, and this would be difficult to achieve in this case.

Mr Stefaniak: It is a big complex. Have you ever been there? There are about eight tracks.

MS HORODNY: Yes, I have, actually. Mounds this high would be prone to soil erosion and collapse and would need to be quite wide and covered with more soil to stabilise the sides. The visual impact of these mounds would be absolutely enormous.

There is also the financial side of this issue that needs to be unravelled. If this building rubble were taken to Pialligo, there would be a charge to the Government of \$4 a tonne for sorted brick and concrete and \$14 a tonne for mixed rubble. The Government claims it is making a saving on the demolition costs by using the explosion method and sending the rubble to Fairbairn Park, but this is a false saving because it is depriving the recycling businesses in Canberra of the opportunity of gaining more work.

I would also like to know whether the motor sports clubs that use Fairbairn Park are paying any of the costs for transporting the rubble to their site and then forming the noise mounds. If they are not paying the full cost, then this is, in effect, a subsidy to the motor sports clubs, which should be required to pay for noise control works as part of the polluter-pays principle. Does this subsidy appear anywhere in the Government's budget released yesterday? The Chief Minister said yesterday that the building of these mounds would be subject to design and siting controls and implied that there was nothing to worry about, as the public would be able to comment on any development applications. It is a bit too late for that. As usual, the Government is following its "decision first and consultation later" approach to planning. The Government should have done a full examination of the environmental impacts of motor sport activity at Fairbairn Park before it decided to send all this building rubble there. My motion is intended to promote a more sensible approach to managing the waste produced by the Acton demolition than just dumping it at Fairbairn Park, and I commend this motion to the Assembly.

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (4.54): The Government will be opposing this motion of Ms Horodny's. No-one doubts that Ms Horodny has a great commitment to recycling, but we can assume only that she has been badly advised by someone or she does not fully appreciate the implications of what her motion would mean, were it passed today in the Assembly. The alternative view, I suppose, is that she does understand the implications of the motion, in which case I would have to say that it is her judgment which has to be questioned.

I must say that I was very impressed by Ms Horodny's melodramatic use of the word "explosion". I had visions of a demolition contractor, dressed in a black cape and a mask, as all environmental villains are, and with the long beard - I forgot that - sneaking up on the building in the dead of night with one of those spherical bombs, with the fuse burning, and then lobbing it into the building. I am afraid that the implosion - it is not an explosion; it is an implosion - of the tower block and Sylvia Curley House will be much less dramatic than this. Indeed, the lack of sound and fury was a key consideration in the selection of tenders, and I will explain why in a moment.

Let us give Ms Horodny the benefit of the doubt and assume that she is not aware of what her motion would mean for the patients at the hospice. If we had to use conventional demolition, Ms Horodny, no doubt, would be at peace with the world; but she would be alone in that respect. Conventional demolition would mean the patients in the hospice would be able to enjoy more than another month of pneumatic drills, jackhammers and the heavy demolition equipment that you find on a conventional demolition site. Indeed, conventional demolition would add six weeks of noise to the demolition.

7 May 1997

Mr Kaine: And that big iron ball going whack, whack, whack.

MR HUMPHRIES: That is right. Those things are not without considerable noise, Ms Horodny. There would be six weeks of high-powered equipment munching away at the tower building and Sylvia Curley House that is completely unnecessary. I might be able to live with that sort of noise, but I am not a patient in the hospice. I will be, if I hear many more of those speeches from Ms Horodny, but for the moment I am not.

Mr Berry: What did you do with the tortoises, Gary?

MR HUMPHRIES: Tortoises?

Mr Berry: The tortoises at Sylvia Curley House. The Environment Minister does not know?

MR HUMPHRIES: I am sorry; I know nothing about the tortoises at Sylvia Curley House. I confess that I am ignorant of the tortoises. If they are not an endangered species and are not indigenous, I do not care.

Ms McRae: They are endangered now; they are about to be imploded.

MR HUMPHRIES: Obviously. If the buildings were demolished by implosion, those six weeks would instead be used for the preparation for this implosion - a process which causes much less noise.

Mr Speaker, when we were examining tenders for this project we weighed up a range of complex factors that require a careful balancing of sometimes complex interests. Recycling was a factor, but it was not the only factor. If we had had a one-dimensional tender selection we may have gone with the company that Ms Horodny is obviously lobbying for, but the real world is sadly more complex than that and governments have to weigh up a whole range of factors.

Mr Berry: I am disappointed that she is not worried about the tortoises. I am still concerned about the tortoises, and I reckon you should get an answer before the end of this debate.

MR HUMPHRIES: I will look after your tortoises, Mr Berry, in just a moment, when I have finished my remarks. I will address the tortoises if you would like to be patient.

One of those factors which the Government, and any government, has to weigh up is the disruption to the hospice. As I said, we will assume that Ms Horodny was not aware of this when she put her motion forward; but if she continues to think of this motion as a good idea, when she does have full knowledge of the unnecessary disruption she is adding to the lives of hospice patients, I would have to say that I have much less respect for her concept of what it is reasonable for the Territory to do.

As with any tender, another one of the factors we considered was cost. While the price of respective tenders is obviously a matter that is commercial-in-confidence, the difference between the price of the contract that was awarded and the price of the Horodny preferred tender was well into six figures for the tower block alone. It is a six-figure difference in the price to demolish the tower block by itself, not to mention Sylvia Curley House or any of the other buildings that we are talking about in this process. Mr Speaker, I think there is a very considerable uncosted element of Ms Horodny's motion which we simply have not heard about.

Ms Horodny: Jobs, Gary, jobs!

MR HUMPHRIES: There are all sorts of ways of creating jobs, Ms Horodny. We could pay people to dig holes in the ground and then pay another lot of people to come and fill those holes in. The question is what we actually get for the money we spend. Mr Speaker, I do not have lots of money to burn at the moment - unless, of course, we pull some more money out of ACTEW.

Ms Horodny: You throw other money away for jobs.

MR HUMPHRIES: We are very frugal, Ms Horodny. If we are going to spend more money on this - a six-figure sum, apparently - where do we get the extra money? Tell me that.

Mr Kaine: Say \$10 for every brick that is reprocessed.

MR HUMPHRIES: Apparently. I do not know who pays this \$10, Mr Kaine; but someone has to pay for it. I will not dwell on that question of cost because there are other much more important reasons why I think we have to reject this motion today.

Debate interrupted.

ADJOURNMENT

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

That the Assembly do now adjourn.

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

Question resolved in the negative.

7 May 1997

ACTON PENINSULA - DEMOLITION OF BUILDINGS
Motion

Debate resumed.

MR HUMPHRIES: You went on in here about the tortoises, Mr Berry, so you have to wait.

Mr Berry: You have not sent a messenger to find out.

MR HUMPHRIES: You will find out. I am not sure when, but you will find out. I realise that tortoises are the mascot of the Labor Party. I do not know as much about them as you obviously do, but I will come back to them in a minute.

Mr Berry: It means that when you were Health Minister you never went to Sylvia Curley House; that is what it means.

MR HUMPHRIES: Not where the tortoises were, obviously. Mr Speaker, in assessing demolition tenders the Government had to consider a whole range of matters. Contrary to Ms Horodny's view, recycling and reuse of materials was one of those considerations. Let me advise Ms Horodny that, as I recall my little slogan on recycling, it was that people should reduce, reuse and then recycle.

Mr Kaine: On a point of order, Mr Speaker: Could you ask the members to caucus elsewhere.

MR SPEAKER: Members, could you lobby in the lobbies.

MR HUMPHRIES: I thank members. When we are talking about these things, it would seem to me that reusing is a very important part of the process of being able to environmentally, sensitively, deal with major projects like the demolition of the hospital.

Mr Moore: Ms Horodny may not have understood that; perhaps you had better explain "reuse" again.

MR HUMPHRIES: I think I had better repeat that, yes. The order of preference is reduce, reuse, recycle. It would seem to me that we should salvage from the buildings. For example, the gas boilers are being taken from the hospital and relocated to Woden, where the boiler from the child-care centre has been donated to the Richmond Fellowship building in Pialligo. Last night a truck full of metals destined for recycling was sitting behind the TWU picket line. There is something which could be going off to get a bit of recycling. Doors, I understand, are being reused, not recycled; they are not having value added. Adding value implies that you destroy them and you re-create them. I do not know how you add value by destroying the milk bottle and re-creating the same milk bottle.

Ms Horodny: There will be value in the doors; they will be repainted; they will be replaced.

MR HUMPHRIES: If you take the door off its hinges and put it up somewhere else, you are reusing the door. That is better than having to cut the door up and use it for something else like matches or pens or something of that kind. Reusing is the best use, and that is what we have done with this project. We are reusing everything which is reasonably cost effective and is able to be reused. Even the rubble itself - the mass of the walls, the masonry and so on, that comes from the hospital - is being reused in mounds; that will go to create noise abatement mounds at Fairbairn Park.

All those sorts of things are reusing, and that is better than recycling. At least, that is what I understood from the concept of reducing, reusing and recycling. Mr Speaker, we made clear to the tenderers, when we called for those tenders, that they should make a great deal of the concept of reusing and recycling. As a result, the contractors are both recycling and reusing most of the material from the former hospital buildings. Bear that in mind: Most of the material coming out of the hospital is being reused or recycled.

I know Ms Horodny is, I think it is fair to say, not keen on motor sport, but the fact is that many Canberrans are. The proposal to construct sound barriers at Fairbairn will limit the impact that this sport has on surrounding residents. I am not sure whether Ms Horodny is saying that she does not want that to happen and does not want the noise abatement measures to go forward; but I would hope that, even if we continue with motor sport at Fairbairn Park, there would be some abatement of the noise. Ms Horodny, I think, needs to understand that that is an important commitment that needs to be made.

What if the Government were to adopt Ms Horodny's preferred tenderer? What is the difference between her proposal and the Government's plans? As I have said, we have already recycled all the metals and we are salvaging all equipment or fittings that can be salvaged. This pretty much leaves only bricks and concrete. I have just pointed out that the Government has agreed to the reuse of the bricks and the concrete for sound barriers and tiered seating at Fairbairn Park.

Alternatively, we could have agreed to use it for low-grade road use, for a road base. The only difference in practical terms is that Ms Horodny's proposal would mean that the bricks and concrete would be separated. Would they be recycled into a new hospital? No. If the concrete is separated it will be crushed, so that it can be used for high-grade road base. The bricks would also be recycled, but it is unlikely that they would be used as bricks in buildings. The Horodny preferred tenderer was, in fact, much more likely to crush them and use them as low-grade fill. What do we get for the additional expense? Essentially, instead of low-grade fill we get some high-grade fill, with the possibility of some clean bricks but with a greater chance of a mix of low- and high-grade fill. Is this worth the disruption? Is it worth the cost? Mr Speaker, I do not believe that it is.

7 May 1997

Let us not forget the disruption caused by the demolition itself. I would not like to speculate on what it would cost us to terminate the existing contracts, so I will leave that to Ms Horodny's imagination. This is an important point, of course, Mr Speaker. The contracts have been let. To void those contracts will occasion the Territory in the payment, almost certainly, of some damages to the company which has come from Newcastle to conduct this demolition. I am not in favour of incurring that cost for no particularly good reason, particularly as I note that Ms Horodny has apparently raised this question of reusing and recycling the materials at the hospital only in the last few days, as far as I can determine, after the contracts had been let.

Ms Horodny knew what was happening. She knew that there was a process to demolish the Canberra Hospital building. She took part in a debate on a motion in this place a few weeks ago to urge us to stop the process, and she knows that failed. She also knew the Government was going out almost straightaway to seek parties to conduct the demolition. Why did she not then say, "Okay, Government, we know you have to go ahead with this. You have won the vote on the floor of the Assembly. At least go away and do these things in respect of the demolition."?

Ms Horodny: Why did you not do the processes?

MR HUMPHRIES: You did not raise them with us.

Ms Horodny: Why did you not go through the correct processes to determine whether you even need the rubble at Fairbairn Park?

MR HUMPHRIES: But we did. This is the point I am making. We have looked at the question of recycling and reusing. That is the point I am trying to make, Ms Horodny.

Ms Horodny: We are not sure you even need it there.

MR HUMPHRIES: I wish you would listen, Ms Horodny. I am trying to make that point. We have put recycling and reusing. Most of the building material and most of the things coming out of the hospital are going to be reused and recycled. We apparently have not gone as far as you would like, but since you did not raise these issues with us and did not say, "This is how far I, Lucy Horodny, want you, the Government, to go", how can you expect us to do that at this point, after we have already let the contracts?

Ms Horodny: You would have listened? I have been saying it for two years, Gary. It does not seem to make any difference.

MR HUMPHRIES: I know it seems incredible, but I might actually have listened to Ms Horodny. But I certainly cannot listen to you now that we have already let the contracts. Surely you would understand that. How can I go back to the ratepayers of this Territory and say, "We went and did what we said we were going to do. We have let contracts to demolish this building. We have built recycling and reusing into that process.

Most of the materials are going to be reused and recycled. But Lucy Horodny wanted us to go further. We did not do that. She did not ask us to do it and that is why we did not do it. But we did not do that, so we are going to cancel the contract with this company; incur the damages that that would lead to as a result of a breach of contract; go to this other preferred tenderer of Ms Horodny's - - -

Mr Kaine: At a greater cost.

MR HUMPHRIES: - - - at a greater cost to the taxpayer; we are going to disrupt the inhabitants of the hospice for six weeks while jackhammers and pneumatic drills are being used outside the hospice, all because Ms Horodny forgot to mention to the Government that she would like these things to occur."? I have heard some pretty weak cases for action on the floor of the Assembly, Ms Horodny, but this one really and truly takes the cake. (*Extension of time granted*) The losers would be hospice patients, taxpayers, and Canberrans with an interest in motor sport; not to mention the employees of the existing contractor, most of whom are local residents. That is simply not a trade-off that the Government would be prepared to make. I urge other members of the Assembly not to entertain this trade-off either.

MS McRAE (5.10): Mr Speaker, it is a curious motion. There is a very serious concern here if Labor did choose to support this motion. Mr Speaker, I am going to ask you to provide the Assembly with some advice yet again. Should Labor choose to support it - and there are several measures within it that have some emotional appeal and some logic - we would then be supporting something that would incur a cost for the Territory. If Labor agreed to this motion and we perchance got the numbers, we would be voting for a motion where a contract would be broken, where compensation would be sought and where the Executive would have to incur a penalty. I believe that this is outside our standing orders and that we need advice on these sorts of motions. Should Labor have chosen to support this, that is exactly the position we would have put ourselves in; and I believe that is out of order. I would like you to provide us with some advice on that. As it happens, for a range of reasons, we are not able to support it today, even though we have a high level of support for the sentiments that are within it.

The Minister has explained that most of the issues that were raised have been dealt with. As it turns out, in the course of debate, we discovered that the Government has dealt with them. There is a difference of opinion as to whether or not it is good to take landfill to Fairbairn and whether those sound barriers will or will not be effective; but Mr Humphries has explained that they have done some work on it, and time will tell whether it is a suitable use of that rubble. Mrs Carnell yesterday outlined the type of recycling that is to happen. Mr Humphries today pointed out why this implosion is going ahead in the way it is and how the concerns and needs of the people who are working there and of patients in the hospice are being taken into account. However, there are still some pretty fundamental issues being raised about the management of this process which could easily have tempted people to jump on board and support it to ensure that the best possible use of this material was made and that the transfer was made properly.

7 May 1997

The other matter of concern that again has some appeal is that every effort to sort and recycle demolition material from the Acton Peninsula buildings, particularly through the use of the Pialligo demolition waste recycling facility, seems to us to favour one company over another. Because of its emotional appeal, of course, who would not support a motion that asks the Government to make every effort to ensure that the best possible recycling takes place? We have before us a motion that has underlying it some sentiments that, on the face of it, we may well want to support; but I do not think we should ignore the implications of that possible support and let that escape because of the type of motion that is put before the Assembly.

At another time it may well be that an issue of far more intense concern to us may come up. If we feel that we can get the numbers and stop something halfway through, are we then, by implication, by allowing this motion to even be debated, setting up the notion that, should the Assembly get the numbers, we can stop something that the Government has done, incur an expense and, therefore, be outside the normal rules that guide the management of money matters in this Assembly? Mr Speaker, I will leave that in your capable hands. The Labor Party is not supporting this motion, so we do not have an immediate problem. I do commend to you a serious consideration of the issues that I have raised and ask that you bring back the results of your consideration.

MR STEFANIAK (Minister for Education and Training and Minister for Sport and Recreation) (5.14): I wish to make just a few points. I note what Ms McRae said. One point - and I think Ms McRae and Mr Humphries may have alluded to this; but, if they have not, I do so now - is this: Not only would breaking a contract be very costly to the Government; it would also be an illegal act. I think that is a very significant factor in terms of the substantive motion.

The Fairbairn Park issue is an issue that has been around for quite some time. In terms of the actual cost, I think this is a very cost-effective and sensible way of rectifying a number of longstanding issues. It is very cost effective because, from my understanding, it is the cheapest means of moving suitable rubble, after proper recycling of useful materials, as the Chief Minister said yesterday, to Fairbairn Park so that barrier constructions and mounds can be made there.

Mr Speaker, I think the Greens suggested, in a *Canberra Times* article on 15 April, that the development there would be a monstrous eyesore. In actual fact, we would expect that a landscaped barrier system would be a vast visual improvement on what is currently visible from roads going past the facility and from the Ridgeway in New South Wales. Obviously, during the barrier construction there might be some visual disturbance, but this is normal for any project. It is also proposed, as the Chief Minister mentioned yesterday, that soil removed from the Bruce Stadium development will be used to cover the mounds to provide a base for landscaping and spectator amenity. It is strongly suggested that the end result will be much more visually attractive and much more effective than the current situation. There will be a preliminary assessment. All the other statutory processes will need to be followed in the construction of the barriers. The barriers will be professionally designed, and construction will be supervised by an appropriately qualified and experienced engineer.

The Greens seem to suggest that the barriers are supposed to suppress all noise from motor sport activities. In fact, Mr Speaker, they are only one of a number of possible strategies to be used to minimise the effects of motor sport noise on nearby residences. But I think they should be a very effective strategy. Ms Horodny mentioned one person who had done a consultancy in relation to this. The Department of the Environment, Land and Planning engaged another acoustics expert, a Mr Louis Challis, who carried out an assessment of the site over a number of weeks, I understand. He suggested that properly designed barriers would decrease the noise effects on nearby residences by as much as five decibels. Incidentally, that gentleman is a world renowned expert and certainly a person accepted by Australian courts as an expert in terms of sound, sound control and noise. The barriers would work by absorbing some of the noise close to its source. I do not think anyone is suggesting - certainly, we are not - that they would completely block out all noise. Mr Speaker, there are other strategies as well which could be used by the motor sports themselves. They include improvements in event management, some modifications to exhausts - those things occur anyway in motor sport - and track alignments and modifications.

Ms Horodny, there certainly has been no formal proposal to construct any additional tracks at Fairbairn Park. Certainly, a number of people have mentioned improvements. Over the years, I think a few people have mentioned additional facilities there, but there is certainly no formal proposal in relation to an additional track at Fairbairn Park. Also in relation to that, Ms Horodny, you might note that there are some eight or so tracks all-up at the complex. I understand there are five main ones used by five main codes of motor sport. The current speedway track is not, in fact, being used. I am not aware of the lease situation in relation to Fraser Park at Jerrabomberra, but I have been told that there are no complaints from Jerrabomberra Park residents in relation to noise there. That does not appear to be a problem. I really do not know what the lease arrangements are and could not comment on them.

Also, in relation to persons at the Ridgeway, I am well aware of the Ridgeway Residents Action Group, having had a number of talks with it from 1990 onwards. I am certainly aware that there are three individuals in that group who obviously object to noise from Fairbairn Park still. I have also talked in the last two years to four people who live in the Ridgeway and who do not have any problem at all with it. I have been there on numerous occasions over the last two years to listen to many motor events at Fairbairn Park. The last time I was there with the Chief Minister. That was about the noisiest event when I have been there. I have been there on occasions when you can hear hardly anything at all. The Government also, of course, will be looking at the issue of the Commissioner for the Environment's report and what the level of noise emission from the facility should be; and certainly that is something on which there will be further work done shortly. In relation to experts and the sound barriers, Ms Horodny: I have mentioned Mr Challis and his report. I have the relevant page here. I quote the last paragraph on this page, which is highlighted:

If correctly located, such barriers would achieve at least a five decibel reduction. If correctly configured and located then they would readily achieve attenuations of 10 decibels. If the barriers were designed to provide both airborne sound attenuations, supplemented by absorptive facings, then they would be capable of achieving higher attenuations.

7 May 1997

I table that, Mr Speaker. The man is a renowned expert in these matters. Ms Horodny, not only would this be a very effective and probably the most cost-effective use of the rubble from Royal Canberra Hospital after the recyclable materials have been taken out, as the Chief Minister has said, but also it would resolve a longstanding issue; it would make that part of the ACT less of an eyesore than it is now. I think it would really accentuate the ambience of the place, especially when it is landscaped properly. There will also be some soil from Bruce Stadium put on it. It would make the place look a lot better than it currently does. I think all of those are very great positives.

This will greatly assist the motor sports themselves in terms of issues such as noise abatement and facilities for spectators. Remember that not only are there a lot of people in the ACT who get great enjoyment out of motor sport, especially things like the karts, and a lot of young children learn, I think, very useful driving skills as a result; but also many people - ordinary men, women and children - come here on a regular basis from interstate to participate in these activities. They usually come from throughout New South Wales and from as far away as Victoria to the regular events that are held there. It is a very well used and patronised facility, and I think all these measures would greatly assist in terms of encouraging those people to continue to come here. It all helps with tourism, and that is not an insignificant factor.

Mr Speaker, just in terms of the Fairbairn Park issues which Ms Horodny raises, this is an excellent use of spoil from Royal Canberra Hospital. It helps to solve a number of issues that I think have plagued this facility for many years. I think it is a great step for everyone associated with the facility, not the least of whom would be the few people - and I think there are only a few - who have led a campaign against the motor sports' use of that facility. I think those individuals will be very pleasantly surprised at how well this will turn out for them.

MR SPEAKER: Ms McRae asked me for a ruling on whether or not it was in order for this motion to be put forward, inasmuch as contracts had been let and, if this motion were passed, it may lead to the cancellation or perhaps the revoking of the contracts. That would involve the Government and the people of the ACT, presumably including those who voted in favour of this motion, in a substantial payment to the contractors. The motion, however, is in order. There are a number of motions on the notice paper, including one at page 1478 - No. 12, by Ms McRae herself - calling on the Minister for Education to restore funding to the Year 12 evening college programs, which involves the Government funding something beyond - - -

Ms McRae: No; this would be new expenditure.

MR SPEAKER: No; Government funding on a request of the Assembly. This motion is no different. In the event that it is supported, there will be extra costs by the Government involved. What I am saying is that it is not unusual for the Assembly to make these demands. It is, of course, in the Assembly's hands whether they wish to incur those costs on behalf of the ACT Government, but I rule that the motion before the house is in order.

Ms McRae: Mr Speaker, on a further point of clarification, as a point of order: If it is an item within the current allocated education budget, then the restoration of funds is already within an allocated line in an Appropriation Bill. There is no allocated budget line to cope with an expense additional to something already appropriated for, and that is my point about difference. This has been appropriated for to actually demolish the buildings on Acton Peninsula and has already been allocated to that specific purpose. Within the education budget, may I beg to just differ, there is an amount that has been appropriated. Any change to that would require amendment to an already allocated appropriation. Here we have appropriated for and have specific funding to deal with the Acton Peninsula site; we do not have specific funding to deal with a variation to a contract that has already been let.

I am not objecting to your ruling, Mr Speaker, but it is that clarification that I need. I do understand the implications of my motion and other motions that are before the Assembly. I do also understand that there are very strict guidelines about what is appropriated for and what it is appropriate for the Government to expend. I think we may be beginning an irresponsible course in this Assembly if we are able to pass motions that do actually require extra appropriations or shifts from other appropriations like the Treasurer's Advance.

Of course, the Government can argue that there is money in other areas for unforeseen expenditure, but this is not unforeseen. This is a very deliberate move. It is outside a normal appropriation, and that is my point. My motion deals with a matter within the education portfolio; it is not asking for a new appropriation. That is my concern. Thank you, Mr Speaker, for your patience.

Ms Horodny: Mr Speaker, can I just add to that? The actual initial appropriation for the demolition of buildings at Acton was about \$8.15m. We have heard that the new appropriation is only \$6m. In fact, there has been a saving of \$2m.

Ms McRae: It does not matter. It has been appropriated; it has been designated. That is the point.

Mr Humphries: But that money is reallocated.

Ms McRae: That is the point; we are not free to just spend money.

Ms Horodny: Yes; but the technical point here is whether there is new money or whether it is coming out of existing money. I would argue that, because there has been a so-called saving here, this money would come out of that appropriation.

MRS CARNELL (Chief Minister) (5.27): Mr Speaker, there are a total of six contracts involved in the demolition on Acton Peninsula. All the contractors have been selected, not necessarily on the basis of the lowest price, I have to say, but on the basis of providing the best value for money. The primary consideration by the tender selection committee was that all tenders complied with the Government's policy on waste minimisation, as outlined in the no waste by 2010 strategy; the competition policy; and value for money. This has resulted in two local firms winning tenders.

7 May 1997

All tenderers are attempting to recycle building materials whenever possible. Any - I repeat "any" - useful building components have been, or are being, recycled or resold and will be separated out from the rubble that will be dumped. This includes material such as doors, roof tiles, roof sheeting, window frames, windows, copper pipes, reinforcing rods - the list goes on, Mr Speaker. All companies involved are taking these metals and other materials out of what is being demolished and are separating them out for recycling. Of course, not everything can be recycled, such as things like old plasterboard. In the case of rubble from the tower block, we are, effectively, recycling and reusing the materials for a useful purpose by creating sound barriers at Fairbairn Park.

Ms Horodny's motion clearly indicates that she wants all contracts which have been let to be broken, and she is quite clear about that. She is quite happy for us to spend extra money paying out contractors and having to release them, which, of course, would incur an enormous cost to the Territory; and, instead, to be awarding these contracts to a company - the company Ms Horodny is interested in - which operates, I understand, at Pialligo. Let me state for the record that neither I nor any other member of this Government would be prepared to intervene in a tender process. I would have to say that, if we did, we would probably be carted off to the watch-house because we would be acting very improperly and potentially against the law.

I can only state for the record that the ACT Government has not had any formal complaints, protests or even queries lodged by this firm at Pialligo which has, itself, been awarded one of the six contracts. I would also be concerned to think that maybe Ms Horodny would be interested in seeing the Government intervene in tender contracts when an open tender has been conducted, when a best value for the dollar arrangement has been sorted out. Certainly, the way the motion reads, Mr Speaker, I find it very difficult to understand why you would have a tender process and, if the Government did not like the outcome or there was some reason why the Assembly did not like the outcome, we then overturned it and went to somebody else. Obviously, this would totally undermine any sensible way to operate business in the ACT.

Mr Speaker, enormous amounts of material are being recycled or reused. The method of implosion demolition for two of the buildings and manual demolition of the others was chosen after a careful analysis of the value for money of these methods offered and, of course, minimum disruption on the site, particularly to the residents and staff of the hospice. We did not ask for implosion as a sole method of demolition; nor, indeed, is this the case, I have to say, but value for money offered by implosion. As I said, the reduction in disruption which it produces was certainly an issue that I understand the tender selection committee looked at. It certainly would appear that Ms Horodny seems to be thinking, "Break the contracts" - probably break the law, which, I suspect, is what we would be doing - "and award them to another company", a company that did not actually get this tender at the end of the day. I find that a very unusual approach and certainly not the way that we would be operating government.

For the benefit of the Assembly, I would like to say that the tortoises have been moved out of Sylvia Curley House, and they have been moved out in a very caring and sensitive way.

Mr Hird: In buckets of salt water?

MRS CARNELL: No; that is turtles. No; these are tortoises.

MR SPEAKER: And thence soup.

MRS CARNELL: They have not been turned into soup. They have been given to members of the community. Some have been given to retirement villages, and they are all very happy.

MR SPEAKER: In answer to Ms McRae's further comments: I have taken advice. It has been again drawn to my notice that standing order 200 prevents a member other than a Minister from moving "an enactment, vote or resolution for the appropriation of the public money of the Territory". Ms Horodny's motion is, I suppose you could say, an expression of an opinion calling upon the Government - and they are the words that have been used - to do something. It is up to the Government, however, whether it takes action on this matter, because it is up to the Government only, or a Minister of the Government, to move a money Bill.

Ms McRae: It puts the Government in contempt of the Assembly, though, if we pass it. That is the problem.

MR SPEAKER: Well, that is the situation. It is not out of order.

Question resolved in the negative.

LANDLORD AND TENANT (AMENDMENT) BILL 1997

Debate resumed from 26 February 1997, on motion by **Ms Reilly:**

That this Bill be agreed to in principle.

MR STEFANIAK (Minister for Education and Training and Minister for Housing and Family Services) (5.34): Mr Speaker, the Government will be opposing this Bill. There will be a few things happening probably after we finish the in-principle debate. The Bill is unnecessary. It seeks to bring public tenancies under an outdated piece of legislation which, if anyone has a look at it, has gaps in it all over the place as a result of being amended so many times that it is just not funny. But this outdated piece of legislation is about to be replaced by new, comprehensive and long-awaited reformed residential tenancies legislation.

Mr Moore: "Long-awaited", did you say?

MR STEFANIAK: It has been, and it is coming. The new legislation will regulate tenancies throughout the ACT, including ACT Housing tenancies.

7 May 1997

Mr Moore: Bill, you will be my age before you see it.

MR STEFANIAK: Hang around, Michael, because you might be in for a nice surprise next week. The Attorney-General's Department, my colleague's department, is working towards tabling the Residential Tenancies Bill on 15 May 1997 for the consideration of this Assembly, and it is intended that the reforms will commence in September 1997.

Ms Reilly: It is commencing in September now; it was June earlier.

MR STEFANIAK: It has to be passed and everything, Marion; so there you go. The Community Law Reform Committee, in its report relating to private residential tenancy law, initially recommended that the proposed Residential Tenancies Act should not apply to ACT Housing, pending a further report by that committee. That committee also recommended that a further period of consultation was required to enable the committee to consider whether the proposed Residential Tenancies Act should apply to public housing; and, if so, whether ACT Housing should be exempted from particular provisions of the Act.

Given the implementation of the competition policy reforms and the necessity to ensure competitive neutrality in relation to residential tenancies, the need to ensure that government tenancies were regulated by the Residential Tenancies Bill had already assumed some urgency. This was so notwithstanding this private members Bill. The Government's policy statement on competitive neutrality adopts two approaches matched with associated structural and financial reforms. These approaches relate to the application of the principles of competitive neutrality to significant business enterprises and activities, and full cost attribution to the ACT.

Since the presentation of the private members Bill to amend the Landlord and Tenant Act 1949, the Community Law Reform Committee has, as part of its ongoing consultations, met with officers of ACT Housing to consider whether the proposed Residential Tenancies Bill should be applied to public housing and whether modifications to the Residential Tenancies Bill are necessary or, alternatively, whether ACT Housing should be exempted from particular provisions of the Bill, having regard to the principle of competitive neutrality and the application of the cost-benefit and public interest tests. I am advised that the Community Law Reform Committee has recommended that the proposed Residential Tenancies Bill should apply to public housing, and that outcome is supported by ACT Housing.

Given, after all that, that the tabling of the new tenancy legislation is imminent, the passage of the proposed amendments to the Landlord and Tenant Act at this time would create significant administrative costs for ACT Housing; and it would be operationally disruptive, without conferring any real benefits on public tenants. There are three areas of administrative processes, Mr Speaker, that would need to be changed and would require new procedures and training to be undertaken by staff. These are: Firstly, Ms Reilly's Bill would require ACT Housing to issue 12,500 receipts per fortnight for rent payments made to tenants, even where payments are made by electronic transfer of funds from tenants' bank accounts. This would be a large and costly exercise and could not be justified. Section 57 of the Landlord and Tenant Act requires that.

Secondly, the eviction processes under this Bill of Ms Reilly's are different to those currently used. The current procedures in Housing are well established and involve appeal processes through the internal Housing Review Committee. Training of staff in revised processes would be needed and would be disruptive to client services, given the short period for implementation. Procedures would also need to be written to cover all the prescriptive elements of the legislation. There is an additional further cost there, as well as the considerable costs because of the first point in relation to the receipts. I will come back to what might be done in terms of getting around that, but that second process in relation to evictions under the Landlord and Tenant Act is quite significant.

Ms Reilly probably appreciates - and I think she made some mention of it in her tabling speech - that, in fact, in most instances, tenants are actually told in the eviction notice why they are going, which is a requirement under section 63 of this legislation. I understand that is one of her main concerns. She is concerned that there is no legal provision for that. But I think she concedes that in all instances, in terms of ACT Housing - and I cannot really think of any where this is not the case - before eviction proceedings are finally taken, immense steps are taken to ensure that the situation is rectified through consultation or through arrangements with Housing. The two main reasons for evictions, Mr Speaker, are non-payment of rent and significant rent arrears. Housing has a number of processes in place there, ranging from four categories of reminder letters to coming to arrangements with the tenant in relation to repaying the rent at a rate the tenant can actually afford.

Since I have been Minister I have seen many instances of Housing having anything up to 15 agreements with the tenant which have been broken and a new agreement entered into, prior to the matter actually proceeding to court. Certainly, in most instances, tenants are given a number of opportunities to enter into agreements and even a lot of leeway when they break agreements, before the matter actually ends up in court. It takes at least six to about 12 months in most instances for a matter to actually end up in court, because of the steps taken in the meantime. If a tenant is disgruntled by a Housing Trust decision, even upon the issuing of a notice to quit, they can apply to the Housing Review Committee, and this in fact occurs. Ms Reilly has a problem with evictions, but I can inform her that tenants are certainly, in practice, told exactly what it is for.

The same applies, Mr Speaker, on the rare occasions - because it is often harder to prove - when some tenants, unfortunately, are very disruptive and cause great problems to their neighbours; be they other Housing Trust tenants or people in private accommodation. In those instances, again all efforts are made initially just to tell the tenant of the problem, to see whether they can modify their behaviour, and then, if need be, conflict resolution can be called in. Finally, before you end up having eviction proceedings, a lot of steps are taken to advise the tenant, to try to resolve the problem. In terms of tenants being advised why they are being evicted, in those two main instances - and I am not aware of any other instances where people are evicted from ACT Housing Trust properties - there are ample steps and protections currently in place for tenants, far greater than in the private sector. I cannot see how tenants will benefit in any way from this Bill.

7 May 1997

Ms Reilly's other main point effectively is that tenants in Housing Trust accommodation should be placed in the same position as tenants in private rental accommodation. We accept that, and that is why in the new residential tenancies legislation Housing Trust tenants and private tenants will be subject to the same law. The new legislation overcomes Ms Reilly's main substantive point that there should be no difference between tenants.

The third problem for ACT Housing in all of this, Mr Speaker, is the notification of market rent increases, which is currently done for all ACT Housing Trust tenants on the one day each year so that all tenants are made aware of any revised market rent at that same time. That would be substantially changed by this legislation. This legislation would change the current situation by requiring ACT Housing to notify tenants on the anniversary of their tenancy. This would involve a process of continual notification to tenants throughout the year and would have tenants paying different rents because of the different dates of notification. Some tenants could still be notified in accordance with the current system, but a large number would have to be notified in a different way. This would cause significant cost and dislocation to Housing. I am advised today that they simply do not have the processes which could handle that, were that to be passed.

I have mentioned these things to Ms Reilly and if this matter gets up there are a couple of initial steps the Government could take to rectify the significant cost problems, but there are other problems we simply could not overcome; especially, I think, the problems in relation to the eviction process. The proposed Residential Tenancies Bill will, by being applied to public housing, include provisions which will ensure equity between public and private residential tenancies and proper cost-benefit assessments, with the object of ensuring that public and private residential tenancies are regulated in the same manner. I have been told that will be brought in during these sittings. The Bill, I am advised, has had its coordinating comments made. They are due in by today. That Bill is, indeed, imminent.

Mr Speaker, one further point which could be a problem in relation to Ms Reilly's Bill is that paragraphs 71(1)(a) and (b) of the original Act provide that a court shall take into consideration, in terms of any eviction proceedings, any hardship that could be caused to the lessee or another person by making the order or, indeed, by refusing to make the order. That, in itself, could cause problems because 90 per cent of our tenants are, in fact, on pensions. I suppose one could argue that there should not be any evictions. We would get back to the ludicrous situation caused by Tom Uren's crazy comments back in 1984. I do not think that is fair to anyone. Ultimately, it is not fair even to the bad tenants who are defaulting in rent payments. It is certainly not fair to the vast majority of Housing Trust tenants who pay their rent and who quite reasonably expect that everyone else should do the same thing.

That rent is significantly rebated in the vast majority of Housing Trust cases - about 90 per cent of them - because those people are on either full-rebated rent or part-rebated rent and, accordingly, pay only a fraction of the market rent. In those sorts of situations the money raised from that rent could be used to assist Housing Trust tenants generally, and that money is used to assist Housing Trust tenants generally in terms of maintenance, et cetera. Basically, anything that has a good chance of endangering the money the Housing Trust gets from its rents, I think, should be resisted

because ultimately that impacts on the vast majority of our tenants who go about their business, who are good tenants, who pay their rent, who do the right thing and who have every right to expect a proper level of service as a result. Mr Speaker, in summary: This private members Bill really has very little merit. It causes a lot more problems than it solves. It is not supported by the Government. I remind members, once again, of the imminence of the proposed Residential Tenancies Bill.

MS REILLY (5.46), in reply: Again we hear that new legislation is coming. I think people are probably bored stiff hearing that new legislation is coming. I suppose there should be a gold star handed out for consistency; it has been promised and promised. We have competitive neutrality but no legislation. Consider the times we are in at the moment. We are waiting for the Federal budget next week; we had the ACT budget yesterday. There were some very interesting aspects in the ACT housing budget. There are rumours - and you can look at some of the indications from the way the Federal Liberal Government is going - of great cuts to housing. It is rumoured the cuts could be between \$100m and \$800m. This is going to force more people into private rental accommodation. That is one of the obvious outcomes of this change.

We have the situation here in the ACT - and, unfortunately, it is not alone in Australia - where we have absolutely lousy residential tenancies legislation. There does not seem to be any commitment to changing that legislation. We have a time of great change in the delivery of housing and a time when the public sector is going to be competing with the private sector. Maybe that is the competitive neutrality that we are talking about. But we do not have legislation that assists all tenants in the sector. Instead, we are stuck with the Landlord and Tenant Act 1949, which, in the case of ACT Housing, is propped up by an 1899 New South Wales Landlord and Tenant Act. This legislation is nearly 100 years old and in fact predates public housing provision as we know it in Australia, which has been strong in its provision since about 1944. It is going to be interesting to see how much we can muck it up in the next few years as we change the way we deliver housing to people on low incomes in Australia. We have legislation that is not going to assist anyone as we embark on this new scenario.

Very good residential tenancies legislation is desired by all governments, landlords, investors and, most particularly, tenants. It assists all parties. But there is a decided lack of such legislation in Australia. One of the reasons why there is such poor residential tenancies legislation currently in Australia is that the private rental market is only a residual market; it is unplanned and poorly regulated in a whole lot of ways, not just tenancy matters. But we are going through a period now where we are going to encourage the greater use of private tenancies. That is also going to be one of the impacts of yesterday's budget.

That is why it is even more important that we have legislation that protects all tenants in the ACT. These amendments would empower public tenants in particular because they would provide more transparency of process for people who are public tenants and who may be in the process of being evicted from a public housing tenancy. They would also provide efficiency in the system, as I mentioned when I introduced the legislation, because people would be aware of what the process would be when the eviction processes were started.

7 May 1997

This Government has had plenty of time to work on these processes. One of the issues raised by the Minister for Housing is the fact that, if this amendment goes through, then there would be grave problems within the ACT. He suggested additional costs because there would have to be new procedures. What is he going to do when new legislation is introduced? If there are going to be changes - and he has telegraphed and telegraphed that there would be equity in process between public tenants and private tenants - will this require changes in the public housing sector, or are they going to use old procedures for new legislation?

There are going to be costs associated with the introduction of the new residential tenancies legislation. If these costs are not going to be met, why are we talking about them? How are you going to pay for the new procedures, or is there no legislation? That is one of the concerns I have with the promises and the suggestions that there will be new legislation, and that is one of the reasons for going ahead with my amendments. When I introduced the amendments in February the Minister said the legislation was imminent. Two months later, it is still imminent.

Mr Kaine: He has said "15 May" now. "Imminent" is relative.

MS REILLY: We now have a closer date, but it is still not happening; we are all still waiting. The comment that the legislation will be introduced next week and consequently passed quickly seems to suggest that there are not a number of stakeholders in this area who would be interested in having a look at the draft and the opportunity to comment on this draft. Surely this Government has a procedure in place to take care of that. For how long are we going to wait between the introduction, if it is introduced, of the new legislation and the passing of that legislation? In the meantime, we continue to use the 1899 New South Wales Landlord and Tenant Act in relation to the eviction of public tenants. The use of this archaic procedure is of concern. We are going to go on doing that for quite a number of months. There has to be a lead time between the introduction of the Bill and the actual commencement date of it.

The other issue that I want to raise in relation to that, because it is an issue that is also affected by the introduction of these amendments, is how we are going to inform people of these changes or inform people of the new legislation. What provisions have been made to ensure that all public tenants are aware of the changes that are being suggested? What procedures are in place to assist organisations such as the Tenants Union to inform and educate people about the new Act? These are going to be very important. There does not seem to be any suggestion at the moment that this will happen, and this is something that we need to consider very carefully.

At the moment we are looking at great changes in the provision of housing through the Commonwealth-State Housing Agreement. This is going to put more pressure on the private rental market and the use of the private rental market. I would have considered that, since the Minister has been a party to a number of the discussions, he would have been working overtime to ensure that he ended up with quality, up-to-date legislation to assist people in residential tenancies. Instead, we have been stuck with the situation where it has gone on and on, with promises, promises, but no legislation. I am gravely concerned that we are still on a promise of legislation at the same time as there is no support for my amendments.

Question put:

That this Bill be agreed to in principle.

The Assembly voted -

AYES, 10

Mr Berry
Mr Corbell
Ms Horodny
Ms McRae
Mr Moore
Mr Osborne
Ms Reilly
Ms Tucker
Mr Whitecross
Mr Wood

NOES, 7

Mrs Carnell
Mr Cornwell
Mr Hird
Mr Humphries
Mr Kaine
Mrs Littlewood
Mr Stefaniak

Question so resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Clause 1

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

ADJOURNMENT

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

That the Assembly do now adjourn.

Assembly adjourned at 5.58 pm