



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

28 April 1998

**Tuesday, 28 April 1998**

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

**AUTHORITY TO BROADCAST PROCEEDINGS  
Paper**

**MR SPEAKER:** I present, for the information of members and pursuant to subsection (8)(4) of the Legislative Assembly (Broadcasting of Proceedings) Act 1997, an authorisation to broadcast given to a number of television and radio networks in relation to proceedings of the Assembly today, 28 April 1998, concerning the inaugural speeches by the new members of the Legislative Assembly and question time.

**PETITIONS**

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

By **Mr Stefaniak**, from 205 residents, requesting that the Assembly look at how English as a second language students can continue English classes under the new employment arrangements.

By **Ms Tucker**, from 35 residents, requesting that the Assembly provide additional school buses to eliminate overcrowding and decrease the length of the routes so that they arrive at their destinations on time.

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

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### **English Classes**

*The petition read as follows:*

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

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly: that “people whose first language is not English, that is, students of English at the Canberra Institute of Technology, will not have English classes at CIT in second semester and as migrant and refugee students, we cannot speak and write English properly. We cannot get jobs and our future depends on our English classes at CIT. We understand that there are no plans for English classes in place for Semester 2 at any of the new employment providers for FLEX. The students at CIT are very worried about our future because as migrant students we have only one hope that after we get a proper education, we will get jobs and can serve this country in much better ways. Now the future of migrants and refugees is in doubt and it is a dilemma for us”.

Your petitioners therefore request the Assembly to: look into how we can continue with English classes under the new employment arrangements.

### **School Bus Services**

*The petition read as follows:*

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

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly: that the bus services at school are -

too crowded  
lateness to school  
route is too long.

Your petitioners therefore request the Assembly to: change the situation.

Petitions received.

## PAPER

**MR BERRY:** I seek leave to present a copy of a petition.

Leave granted.

**MR BERRY:** I present a copy of a petition from 356 citizens relating to an increase in armed robberies and preventative measures.

## MINISTERIAL ARRANGEMENTS Ministerial Statement and Papers

**MS CARNELL** (Chief Minister and Treasurer): Mr Speaker, I seek leave to make a short statement with regard to the appointment of my new ministry.

Leave granted.

**MS CARNELL:** At the start of this new Assembly I think it is appropriate, for the interest of members and, of course, for the interest of the community as well, to introduce the new ministry that I have appointed. Obviously, as Chief Minister, I have taken treasury. The Chief Minister's Department now includes business, employment, tourism, information technology, the arts and responsibility for GBEs. Mr Humphries, as Deputy Chief Minister, is Minister for Justice and Community Safety. That includes responsibility for police, emergency services and fair trading. Mr Humphries will also assist me as Treasurer in a number of areas, particularly in the areas of GBEs, information technology and asset management. Mr Stefaniak, as Minister for Education, will have responsibility for areas such as children's, youth and family services and also sport and recreation. Brendan Smyth is the Minister for Urban Services. We welcome Brendan to the ministry on his first day as a Minister actually sitting in this place. His responsibilities include planning, transport, housing, environment and heritage.

Mr Speaker, I would also like to welcome Mr Moore as a Minister today. Mr Moore will be Minister for Health and Community Care, and that will include responsibility for mental health services and disability services. I do not think anybody doubts that the approach that we have taken with regard to asking Mr Moore, a member of the crossbenches, to become a Minister in this Carnell Government is an experiment. It is an experiment, though, based upon a quite large amount of work. The report of the Pettit inquiry - and later today we will table the report of the Review of the Governance of the Australian Capital Territory by Professor Philip Pettit - recommended that we appoint a fifth Minister, which I have done, and also suggested the basis upon which somebody who was not a member of government could be appointed as a Minister.

We have taken on board the recommendations of the Pettit committee with regard to the basis upon which a non-government member could become a Minister. Those recommendations include things such as spelling out the areas in which the new Minister would not necessarily be part of Cabinet solidarity; in other words, areas on which that person would not agree with the government of the day. Mr Speaker, I plan to table in a minute the basis of the negotiations with Mr Moore with regard to these issues.

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The other issues that Professor Pettit spoke about in his report were issues such as the organisation of Cabinet, how Cabinet would be organised with a non-government member in Cabinet and not using the threat to resign as part of negotiations. Again, those issues have been covered in the negotiations with Mr Moore.

Mr Speaker, I believe that this approach can work; but it certainly can work only where there is trust, where there is a will to do the best job for the people of the ACT. As we start a new Assembly, I am confident that that need, that wish, that desire and, I suppose, that commitment as well to do the best job for the people of Canberra are paramount in all our minds. Mr Speaker, I believe that the approach that we have taken in asking Mr Moore to become a Minister will broaden the base of this Assembly. As long as I have been in this place, people have spoken about the need for crossbenchers and others to have more input into decision-making and for the evolution, I suppose, of this Assembly to happen in a way that would reflect what the people of Canberra want; that is, in my view, a less adversarial, more inclusive Assembly.

I certainly hope, from my perspective obviously, that this experiment will be successful. I am very confident that it will be, because of the level of goodwill and the level of interest in making this Assembly a place that does embrace new and innovative approaches that broaden the input into government decision-making, an Assembly that really is at the forefront of those sorts of changes. Mr Speaker, for the interest of members, I now table the letters that changed hands between Mr Moore and me with regard to the fifth ministry.

**Mr Berry:** Mr Speaker, I seek leave to move a motion relating to the presentation of papers relating to the fifth ministry.

**MR SPEAKER:** Is leave granted?

**Ms Carnell:** I just did it.

**Mr Berry:** Mr Speaker, I move that this Assembly - - -

**MR SPEAKER:** Order, Mr Berry! Is leave granted?

**Ms Carnell:** No.

**MR SPEAKER:** Leave is not granted.

**Ms Carnell:** We have done it. I cannot understand how you can move a motion for something we have done.

**Mr Berry:** I think it is an important matter to have on the public record that the Assembly requires all the papers and, if there are any other papers that we have not yet seen, you are required to table those. If you give us a clear and unequivocal statement that these are all of the papers that you have received in your office, either from departmental sources or from Mr Moore, I will not proceed with the motion.

**Ms Carnell:** Mr Speaker, I can guarantee that the papers that I have tabled are the total correspondence between Mr Moore and me with regard to the setting up of the fifth ministry. I have to say that I have not sought advice from the departments in any way with regard to this approach. The letters involved are the documentation that has passed between Mr Moore and me.

### **RESPONSIBLE AND STABLE GOVERNMENT - INAUGURAL SPEECHES**

**MR HUMPHRIES** (Attorney-General, Minister for Justice and Community Safety and Minister Assisting the Treasurer) (10.39): Mr Speaker, I seek leave to move a motion concerning the principles of government in the Australian Capital Territory.

Leave granted.

**MR HUMPHRIES:** I thank members. I move:

That this Assembly endorses the principles of responsible and stable government in the Australian Capital Territory.

I also ask that leave of the Assembly be given to enable all members to conclude their remarks. Briefly, Mr Speaker, this enables members to deliver maiden speeches in this place and to do so without limitation of time.

**MR SPEAKER:** Before I call any of the new members, I wish to remind longer-term members that these are inaugural speeches. It is traditional that they be heard in silence, and I would expect them to be.

**MR SMYTH** (Minister for Urban Services) (10.40): Mr Speaker, it is with great honour that I stand here today. It is an honour because I am here to serve the people of Brindabella. To be elected by the people of Tuggeranong, Chifley, Torrens and Pearce is an honour because what it says is that they place in me a trust to represent them in this place for the next 3½ years. As their member and as a member of the Government, it is important to put on the record how I see that role. First of all, I come here to serve. As a child, I had the great example of my mother and father - Dad, through business; and Mum, in the community. We were raised to serve. We were raised to put back into our community something substantial, something important, and to help others where we could. Politicians, even though they are denigrated often by the public and perhaps misrepresented in the press, all work to serve those who have elected them.

It is a great time for the people of Brindabella. It is a great time because Brindabella as an electorate is maturing and growing up, and the majority of us in Brindabella would not like to be thought of now as residents of Nappy Valley. There are a few things that are about to happen in the electorate of Brindabella that will see Tuggeranong, particularly, flourish. Some of the catalysts for this are the activities of the last Carnell Government

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that have seen infrastructure put in place - things like the police station which was long promised but which occurred under the previous Government. I acknowledge the good work done in the last Carnell Government by my predecessor, Trevor Kaine, the former Minister for Urban Services, because there was good work done; and we should not let that slip past without acknowledgment.

The important thing for Brindabella in the next three years is that at last - it may seem an odd thing to say - we will have a hotel in Brindabella; we will have accommodation. The impact that will have on business and on the amenity of the community will be substantial because that hotel, in fact, will become a catalyst for other activity. At the same time as that hotel comes on line, this Government will be initiating a study of the foreshore of Lake Tuggeranong. Lake Tuggeranong, as the centrepiece of the electorate of Brindabella, is extremely important because it can become something special for us; it can become a focus point. The previous Minister for Heritage, Gary Humphries, set up the interim authority to look at what finally happens to Tuggeranong Homestead. Tuggeranong Homestead has great potential to become a jewel in the crown. It is an area of some 30 hectares right in the middle of Tuggeranong. If we use it wisely and if we protect it, it will become a tremendous asset for us. I think that what that allows us to do is create for the people of Brindabella a future with jobs, and I am sure that one of the No. 1 focuses of this Government will be to continue the record of the previous Carnell Government in creating jobs.

I guess as a Minister with a department, particularly the Department of Urban Services, which is now all under one Minister's control, there is an immense amount of work to be done, to continue the good work done previously by the former Minister. I have said to the people of my department that by the end of this term I want us to be known as the Department of Customer Service. I think that governments are here to serve the people and that departments should deliver. What I will do at all times is make sure that the people of Canberra know that the Department of Urban Services really is there to serve them, and I will ensure that we provide the best service that we can at all times. As a department, we are here to deliver services equally to all Canberrans, and I will ensure that happens.

As a member of the Government, though, there are decisions that take Ministers above representing their particular bailiwick. When we make decisions as a government we will make them on behalf of all Canberrans, and we need to make them wisely. As a kid, my father had a line that used to really annoy me. You would go and ask Dad for more pocket money and he would say, "If you cannot pay, do not go". I think that what we have to do in terms of financial sense is ensure that in this community we live within our means. But that is not to say that we are not adventurous; that we do not try new techniques; that we do not take different tacks which will allow us to build a complete city and which will allow us to build a city that, whilst retaining country town attitudes, has big city amenities. I think that is what the people, certainly of Brindabella, want. They want to retain the lifestyle that we have down in the valley, but they want access to, and indeed are entitled to, the services that good government should provide.



Another thing about the electorate of Brindabella is that we are absolutely blessed with so many assets in so many different areas that we must ensure, firstly, we protect them and, secondly, we use them in a way that creates jobs and builds a better society. In terms of heritage, we have everything from the Rose Cottage Inn to the old Catholic church, the old schoolhouse, the Tuggeranong Homestead and many more areas down there. In terms of scientific achievements, it is not recognised that, for instance, not only is Tidbinbilla in the electorate but also Orroral Valley and Honeysuckle Creek tracking stations are. But even more importantly, Lambrigg Station was the site of William Farrer's initial work on wheat.

There are a lot of things we can do to convince people that Canberra is not some sort of new creation. It behoves me as the new heritage Minister to ensure that we talk about this heritage. The early settlers got here in the 1830s and the 1840s, and we are lucky that there is still a significant amount of our pastoral heritage intact. We should protect that. We have significant environmental assets in the seat of Brindabella - the Murrumbidgee River Corridor, the Canberra Nature Park, leading out to the Tidbinbilla Nature Reserve and down to Namadgi. As environment Minister, I am very much aware of the need to protect and enhance those areas and ensure that we leave something much better for those that come after us.

There are indeed significant Aboriginal sites. Canberra, the nation's capital, was also a place of meeting for the indigenous inhabitants, and it is important that we always acknowledge and respect that there were some here before us. They have left their mark on the land, and it is important that we acknowledge that mark, not just on the land but on our own cultural psyche. Then we are blessed with some modern developments that have given us things like shopping centres, sporting facilities, recreational clubs - all sorts of things. What that gives us in Brindabella is significant assets that, used wisely and in a concerted effort to promote, will enable all the residents of Brindabella that I and four others here represent to have a better life.

I am not here today as a result of my own efforts. I am very lucky that I have a large family, a great number of friends and the support of the Liberal Party. I would like to thank all of those that have assisted me so that I am able to stand here today and make my inaugural speech. I wish to say to Louise Littlewood: Of all the people in politics in Australia today, I perhaps can understand best how you feel. Louise, thank you for your efforts on behalf of the people of Brindabella. I also came sort of mid-term into a parliament, had a year and then lost my seat. It is an interesting emotion. The old roller-coaster ride is, I think, a good analogy. Louise, on behalf of the people of Brindabella and on my own behalf, thank you for your efforts.

To the members of the Liberal Party who work long and hard and, indeed, members of all parties, whether it be Labor, Green or Independents, thank you. We all acknowledge the support of those who think as we do. I am very grateful to members of the Liberal Party for their efforts. I will not name any individually because that would take the rest of my time, but I am aware that you work hard. You worked hard to help me, and I am very grateful for that assistance. To my friends and those that helped, again I offer my thanks.

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It is great in some of those low moments when somebody comes around and cracks a joke with you or when you do actually have family members that are willing to stand on a roadside and wave a placard at passing traffic. It is great to get a laugh. Particularly, to the voters of Brindabella, to all those people of Tuggeranong, Chifley, Pearce and Torrens, I say thank you, because you had faith in me and were willing to vote for me. I will work very hard to deliver all that we have promised.

One of the reasons that I ended up here was my family. I am a father of two. To my wife, Glenda, I would say: You are my greatest inspiration. The things that drive me here to serve, to look out and work for the community, I think, are encapsulated in my love for you. I thank you for your love in return. I hope that what I do here, the things that I help create, the things that I help build, will make it a better world for you, my family.

Comment has been made in the press about what they call my transition “from the Big House to the Little House”. Perhaps it should be called “from one place to a better place”. But the bottom line is that people were asking, “Why would you do it?”. For me, the answer is very simple. It is the opportunity to serve the same people. Whether you serve them federally and meet their needs in the Federal Parliament or whether you serve them here and meet their needs in the Territory parliament, they are still the same people. The number of constituents that I have seen in the short time that I have been a member still have the same problems and are still raising the same issues. They still deserve the same care and attention that all of us here, I am sure, will deliver to them. So, I think it is perhaps not “from the Big House to the Little House”; in the future I am going to refer to it as “from one place to a better place”. I am sure I will enjoy my time here.

I will finish by saying that what prompts me to be here today is the opportunity to give something back to Canberra. I have lived here for almost 30 years now and quite enjoy and love my life here. I have seen Canberra grow from a small community to a wonderful city of 300,000 people. In the time that I am here, whether it be short or long - and I hope it is very long - I will always endeavour to build something better and to ensure that the way we live is not affected and that the purpose we serve as the nation's capital is served the best way we can. The Chief Minister, in her acceptance speech after she was endorsed by this Assembly as Chief Minister, spoke about our not just being the clever city and called on industry and the people to be clever. She said, “It is time for the Government to be clever”. I am in full accord with that. This Government and this Assembly should use the assets and the resources available to us, firstly, to lead by example and, secondly, to create a better city.

I will finish where I began. For me, it is all about service. If we lose sight of the reason why we are here - and I am here to serve the people of Brindabella - then we simply become self-servers. That leads to the distrust that the people of Australia have about some of their politicians. I am about service. I hope to serve the people of Brindabella well and I will do that in my time here.

**MR STANHOPE** (Leader of the Opposition) (10.53): Mr Speaker, I make it clear from the outset of this Fourth Assembly that the Australian Labor Party accepts, without making excuses, its punishment from the people of the ACT; we deserved it. In the court from which there is no appeal, the people's verdict was to demand a much better performance from ACT Labor. They deserve it and they will get it. That is the first, and the unqualified, pledge I make on behalf of my colleagues in the Assembly and the whole Labor Party in Canberra. The plain fact is that the people of Canberra had come to believe that the ACT Labor Party took them for granted. They had reached the conclusion that we took for granted their traditional strong support for Labor at the national level and that it could be transferred to the local level without our having to earn it or to work for it. The people resented that, and they were right to do so. They perceived us as having lost touch. That era has ended. The people of the ACT themselves put an end to it. We are here to make a new beginning. I am determined that the charge of selfishness, complacency and taking the people for granted can never again be brought against the Australian Labor Party in Canberra.

The election message, of course, was not confined to Labor; but there are ominous signs already that the Chief Minister and the Liberals have not heard it - that the people elected an Assembly in which no party or grouping of individuals is in a majority. They want a participatory democracy based on the premise that the ultimate power of decision-making rests with the people through their elected representatives. But no sooner was the election over than the Chief Minister came up with some extraordinary proposals - not to enhance the representative nature of the Assembly and not to improve participation; but to increase the power of the Executive and to reduce scrutiny. The Chief Minister proposed the creation of Executive committees. She now proposes that the Assembly abandon its Public Accounts Committee and its Scrutiny of Bills Committee.

These actions are designed to undermine the first principle of representative democracy, the fundamental principle that the Executive is answerable to the parliament or to the elected Assembly. How can representative government, responsible government in the constitutional sense, work properly if the Executive itself, Ministers in the Cabinet, or paid office-holders associated with the Cabinet, form almost the majority of the Assembly as a whole? What message does this Government send to the electorate by suggesting that this Assembly should be the only parliament in the country not to specifically provide for a committee to scrutinise public accounts or proposed legislation? Forget for a moment that the Chief Minister's proposals are a constitutional nonsense; they are a blatant attempt to set aside the decision of the people at the election, to make a mockery of their verdict and their choice of representatives. Well may we say, indeed, "Feel the power".

By contrast to those who seek a concentration of power in executive government, Labor's commitment is that we will stand up for the people of the ACT by making their Assembly more relevant and more effective. In particular, we will ensure that we are accessible to the people we represent; responsive to the views, needs and circumstances of all Canberrans; vigilant in safeguarding the interests of the community; committed to achieving more open and accountable government; and active in developing policies and pursuing initiatives which will benefit the people of the ACT and contribute to the achievement of a fair, just and productive society. Through these principles Labor will

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stay true to those who voted for us and will build a bridge to those who at the last poll hesitated in choosing us. We have heeded the message in the electorate and have used it to renew and reinvigorate Labor. It is the face of a new Labor that we present to the Assembly and to the people of Canberra. Through the contribution that we make to this Assembly, Labor will demonstrate that we have a team that is well qualified and well suited to leading the ACT into the future. We will take up the challenge of Opposition by taking it up to the Government on behalf of the people of Canberra.

On issues that count we will hold the Government accountable for the promises they have made - the promises of more jobs, real jobs, increased business opportunities, a better health system, a high-quality education sector and better community facilities. If the Government does not deliver on its commitments, Labor will be here for the people of Canberra, to make sure that they get what they have been promised, and we will carefully examine each new Government policy proposal and each new law, to ensure that it benefits the community and is for the common good. We will not assume the traditional role of Opposition and simply oppose, but we will expect proposals from the Government to be meritorious before they gain our support.

Take, for example, the recent proposal to reform the Assembly through the introduction of Executive committees, which I mentioned earlier. Labor did not oppose that reform simply because it was an idea from the Government. We opposed the suggestion because it was a bad idea, thought up on the run. If proper consideration had been given to the idea in the first place, it would have been obvious that the proposed reform impacted adversely on a system of checks and balances which is a fundamental tenet of our democracy. Labor was similarly concerned about the way in which the Pettit review of the ACT's system of government was established; but at least the way in which that review was conducted, with proper consultation and real assessment of reform proposals, gives us the confidence to enter into a meaningful debate on the outcomes.

The message from all of this is that Labor will not oppose necessary reform, but it will reject ill-conceived ideas that are formulated without due consideration of the impact that they will have on the people of Canberra. Labor will be responsible with our vote in this Assembly, and we will stand up for the people of Canberra, to ensure that we get responsible government. I want to stress that we will seek to enhance the role of Opposition so that we simply do not have the job of opposing. The make-up of the Assembly, in which no party or coalition has a majority, will allow us to contribute constructively with our own legislative initiatives for the Assembly to debate. The people of Canberra will find that Labor is not simply a government in waiting. We will be an Opposition of action, prepared to take the initiative in delivering better laws and better governance for the people of the ACT.

Labor shares the concerns of the ACT community hit hard by the decisions of a Federal Liberal government which takes little pride in our city's status as the national capital and which shows little regard for the people who live here - thousands of redundancies, lower house values, family dislocations and increased bankruptcies. All this happened when the Liberals said they were governing for all of us. Do not forget it was John Howard and the Liberals who promised to make us relaxed and comfortable.

Instead, they have given us insecurity and division within our community. More and more we are realising where the Liberal philosophy is taking us. Remember that it is a philosophy which the Canberra Liberals share.

Increasingly, we are getting health on the basis of wealth. There is a worrying trend away from affordable health care and towards a two-tier health structure of priority care for those who can afford it and six to 10 hours in casualty for everyone else. Education is following a similar path, with merit being determined less by achievement in learning and more by what your parents are earning. We are also seeing confrontation replacing consultation in the workplace. Reform delivered at the end of a dog leash is pitting employer against worker and is bringing us industrial chaos, not industry productivity. The Liberals' philosophical commitment to the sale of public assets is giving us privatisation at any price and at any cost. In the case of ACTEW, it may very well be, "Steal the power". These are all critical issues which will confront us during the life of this Assembly. How we deal with them will determine whether we see confidence restored to the ACT community.

Labor's priority in this Assembly is to develop a policy agenda which responds to community needs and which offers the community security and opportunity. The primary focus of our policies will be to maximise the quality of life for all Canberrans. This can be achieved only through economic and social initiatives which are directed at restoring a sense of community within the ACT. Labor recognises that the future prosperity of the ACT depends on the ability to secure a growing economy which provides all people with the opportunity to participate fully in community life. We believe that the priorities for achieving Canberra's economic security are to maintain an efficient, effective and professional Public Service in which job security is not threatened by political agendas; to diversify the economic base of the ACT through a partnership between industry and government involving strategic industry planning and targeted industry assistance; to establish new and improved links within our region in order to gain acceptance of Canberra as the hub of the region; and to ensure that efforts to support existing local businesses do not fall short because of an overemphasis on attracting new businesses to Canberra.

Job creation and job security remain the biggest economic challenges for the ACT. The Government's performance will be measured largely on its ability to achieve both. For people without jobs, the Government's emphasis must be on creating new opportunities for jobs growth as well as improved programs for developing the skills and qualifications needed to secure jobs. For people with jobs, the Government must ensure that the economic decisions they take put people first and do not put jobs at risk. Labor is committed to the expansion of Canberra's technology and tourism industries because those industries are particularly well suited to our region and offer considerable potential for jobs growth. The Chief Minister has promised us a new silicon valley, and Labor will be here for the people of Canberra to see that she delivers on her commitments.

Smart industries, of course, require smart people, and that is why education is a priority for Labor. A strong public education system is a fundamental pillar upon which our community is built. We must secure the foundation of our children's future by ensuring that our schools are well resourced and our teachers are well remunerated.

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School curricula must be inclusive and comprehensive, balancing the need for strong fundamentals with an appreciation of the changing demands of a high-technology world. In determining our approach to education, Labor will listen to and learn from those who know about the needs of our children. We will talk to parents and teachers, who, together, are the driving forces in providing our young people with the skills, knowledge and enthusiasm required to make them learners for life. We will also listen to employers in developing higher and continuing education policies which are attuned to the needs of growth areas in the ACT economy. If we are to respond effectively to the challenges of a changing and more competitive world, it is incumbent on government to have in place appropriate education strategies which will prepare us for that brave new world. Labor will hold the Government accountable for its education policies because the future wellbeing of our community is at stake.

The wellbeing of our community also is dependent on a health system which is responsive to the varying needs of the people of Canberra. In this Assembly Labor will hold the Government accountable for providing all Canberrans with equitable access to high-quality health services. As I indicated earlier, a lack of wealth should not impact on the quality of our health. Labor will seek to ensure that the Government supports and maintains community health services as the building blocks of a strong and viable public health system; provides adequate resources to secure a high-quality public hospital system in the ACT; addresses the particular health needs of women, through appropriate support for programs, services and research targeted to women; establishes and maintains appropriate facilities and programs for the treatment of addiction to drugs and alcohol; and improves mental health services in the ACT. From the many discussions I have already had with a large number of Canberrans, it is clear that people expect the Government to deliver a health system that serves the interests of the whole community.

Canberrans also will hold the Government accountable for the safety and security of our community. In this, Labor will join with the community to ensure that the Government delivers on its promises to maintain our city as a safe place in which to live and raise families. The Government has an obligation to adequately resource our police and emergency services to ensure that they have the ability to tackle crime whenever and wherever it occurs. At the same time, the Government must encourage community involvement in addressing the causes of crime and developing strategies to minimise the risk of crime. Directly or indirectly, crime affects us all. As a community, we must work together to alleviate the circumstances which lead to crime. It is incumbent on government to provide leadership in bringing the community together to deal effectively with these issues. We do not pretend that the fight to prevent crime will be easy. That is why the Government must be particularly careful that it does not choose seductively simplistic solutions to complex law and order problems. In particular, the Government must ensure that its solutions to crime do not simply transfer problems out of the reach of cameras and do not make the rights of law-abiding citizens one of the victims of crime.

A further priority for Labor is to ensure that the people of Canberra are provided with services that cater for their growing needs. Whether it is the adequate supply of affordable housing, access to a more efficient public transport system, adequate and appropriate aged care facilities or the development of new community facilities,

Labor will be here for the people of Canberra to ensure that the Government's targets for the provision of community services are appropriate and that the Government is held accountable for reaching those targets. We will also work with other members of this Assembly to ensure that public assets such as ACTEW and ACTTAB are not sacrificed to the Liberal philosophy of "sell it off at any price and at any cost".

We in the Labor Party do not underestimate the difficulties ahead. As we take up the daunting task, we are strengthened by three facts. First, in the ACT we have Australia's most intelligent electorate; second, in Canberra there is always great underlying support for Labor's objectives of social justice; and, third, nobody, not least members opposite in the Government, should ever underestimate Labor's capacity for self-renewal and re-invigoration. Time and time again in our nation, Labor's capacity for self-renewal and its resilience have been tried, tested and proven. If I may, without impertinence, quote the words of the greatest Canberran of them all, Gough Whitlam, when he came to the leadership of the Australian Labor Party after the worst defeat of its history in 1966:

We should be under no illusions about the extent of our defeat. Facing the reality is the best way forward. Now is the time. Let us now begin.

**MR RUGENDYKE** (11.09): Mr Speaker, I thank the electors of Ginninderra for giving me the opportunity to serve the community in this Assembly. I have been elected on a platform of commonsense and a knowledge of what is expected to effectively represent the views of the constituents. I believe that there is a vast difference between being a politician and being a good local member. A good local member is in touch with the electorate. A good local member is always accessible to the community. A good local member is sensitive to and aware of the problems families endure in day-to-day life. Most importantly, a good local member strives to make a difference and contribute whatever possible to help the community grow and prosper. It is a huge honour for me to accept this responsibility. I have been in the ACT since I was five years old. I am proud of this city and I am proud to say that I am a Canberran. This is a wonderful place in which to raise a family, and I want to ensure it remains that way for our grandchildren and generations after them. I have been a police officer for the last 17 years. During that time I have developed a deep interest in families, children and youth. I see this new post as a progression of that role. I aim to continue looking after the welfare of ordinary people, but at the same time I recognise the importance of the economic direction entrusted in the Assembly to ensure we lay the platform for a prosperous long-term future.

I entered the election campaign under the umbrella of the Osborne Independent Group, and I thank Mr Osborne for the opportunity. As it turns out, Paul and I have fairly similar views on most issues but recognise that we will, on occasions, hold differing views. It is for this reason that I have declared myself an Independent member. I believe that during the election campaign I was branded by the media as being too far to the right. I feel that this has been somewhat unfair, given that my focus has always been on social justice and welfare. I have an intimate knowledge of these areas and I am determined to utilise this expertise as the Independent member for Ginninderra.

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I am concerned about a reduction of community services across the board and also in the police service. Usually the first casualties are those that are seen as the fringe services, which, in reality, are of major importance to the community. Such services include community policing initiatives, juvenile aid bureaus and beat-policing duties, all of which the community rely upon. While I hold strong views on law and order issues, I have a greater interest in social welfare issues. There is a greater need to provide police with the appropriate resources to take care of the disadvantaged groups in our community - the young, the disabled, the elderly. These groups are least able to take care of themselves, and it is our social duty to provide them with support and protection.

I applaud the initiatives of police who make a concerted effort, often in their own time, to achieve these objectives. One such initiative is the Project Saul scheme, devised by Senior Constable Steve Neuhaus of Search and Rescue. Project Saul identifies young people from difficult backgrounds and takes them on rugged and gruelling camps, involving activities like caving, abseiling, bushcraft, team building and horsemanship. They are offered a chance to change a lifestyle, a chance to achieve personal goals and the opportunity to break down barriers between police and themselves. The AFP must recognise the value of such activities, not just in statistical terms but also in character-building exercises.

Another example is Sergeant Ron MacFarlane, who was awarded the Order of Australia Medal for his amazing capacity to recover stolen motor vehicles and to prosecute offenders. He continued this work tirelessly, until recently transferred to a desk job, which has severely restricted the focus on his specialised skills. His car has been taken off him, I believe. Then there is the city patrol special project team, which received an Australian violence prevention award in 1997. The team was commended by the Attorney-General in this house but was disbanded shortly after due to budgetary constraints. It disturbs me greatly that the arrogance of AFP management prevents it from supporting, applauding or marketing positive initiatives such as these.

I care exceedingly for the welfare of children, which also comes from my time in the police service. I have seen first-hand the damage done to children as a result of family breakdown, drug and alcohol abuse, violence and a range of other factors. Supports must be in place and sufficient resources provided to prevent children from falling through the cracks in service provision. As a foster carer, I have become acutely aware of the need for compassion, dedication and properly resourced support for the welfare of families and children. To this end, I look forward to taking part in the review of the Children's Services Act. It is my belief that the basis for this review must be that the best interests of the children are of paramount consideration. I hold the view that the legal system has nothing to do with justice in this area. The legal profession must not lose sight of the fact that children caught in the system are more than just bits of paper to be shuffled about willy-nilly; they must always be mindful that they are dealing with human beings.

There are other issues on the horizon which have the potential to impact dramatically on the future of Canberra. I refer specifically to the mooted sale of ACTEW and ACTTAB. I believe that the sale of Territory assets is not acceptable, without exploring the long-term ramifications and weighing up all reasonable alternatives.



Another consideration is the role that Canberra has to play with adjoining areas. The ACT and the 17 shires which make up the south-east region have enormous prospects if we work together. The region must be considered as a whole. By pooling our resources and cooperating I see vibrant potential benefits in tourism, industry and employment.

In conclusion, I wish to thank my family for being so supportive of my new role. May I also mention the fact that we have relatives from overseas in the gallery. I welcome Raymond, Jacqueline, Lauren and John, who have come all the way from Scotland to share this moment with us.

**MR QUINLAN (11.17):** Mr Speaker, as with others before me today, it is an honour to rise. It is a particular honour to rise as a member of the Australian Labor Party, a party which has well over 100 years of rich history, tradition and contribution to this nation. No-one makes it to this place without the solid backing of many others, and I would like to put on public record my great appreciation for the efforts and assistance of the many people who gave me their particular support. I wish to thank my family who, at times, showed much greater confidence than I did; my direct campaign supporters, particularly Jeff House; all the party members who distributed material, stuffed envelopes, set up public events and manned the stalls at shopping centres so that we could meet the electors. I would like to thank the people who identified issues and proffered advice, good and bad, and those who made very sensible suggestions.

I wish to record my thanks to Australia's next Prime Minister, Mr Kim Beazley, who gave me encouragement and his personal endorsement. Of course, my sincere gratitude goes to the people of Molonglo for their support at the ballot box. To them I pledge my diligence, commitment and direct assistance when and if they need it. I would like to place on record also my thanks to my Caucus colleagues here for their expression of trust and faith in giving me the honour of appointment as Deputy Leader of the Opposition. I will return that faith and trust by working very hard to achieve the title of Deputy Chief Minister.

It is traditional, Mr Speaker, for new members to offer some information about themselves; so, who am I to break with that tradition. I have a distinctly working-class background, having spent most of my early days in Melbourne. I left school at the age of 15, and I was, therefore, a high school drop-out, although that was not considered particularly abnormal way back then. My father was a staunch unionist, and you had only to mention Bob Menzies or Bob Santamaria around our dinner table to have a very lively discussion. However, during my early working life my interests lay more in playing football and other standard teenage pursuits than it did in a career in politics. It was actually through football that I came to Canberra some 35 years ago. I had a contract for three years; but I obviously stayed, settled into Canberra life, and, in fact, I very quickly came to love the place. There used to be an unwritten rule that if you arrived in Canberra before the lake was filled you could call yourself a genuine local, and by that rule I am a genuine local. Some here may be surprised to discover that my family roots are firmly based in Victoria's Kelly country. In fact, I understand that old Ned is a distant relation. However, I now have children and grandchildren who were born in Canberra, and this is now the home of a thriving branch of the quite prolific Quinlan clan.

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In the years 1967 through to 1975 I undertook tertiary studies and completed a couple of courses and eventually a degree, on a part-time basis mainly. I have to say that I very much doubt whether I could have done this in Melbourne, where distance and accessibility to education institutions come into play. On that score alone, I count myself very fortunate to have lucked into Canberra. I have enjoyed a career embracing both the private and the public sectors. It has brought personal rewards and allowed me to participate directly in Canberra's development. In 1987 I managed the project that established ACTEW, combining the ACT Electricity Authority and the ACT Water Administration, which was a departmental division. I must relate that I still reflect on that exercise as a high point of my career, and I put one dimension of that exercise on the record. After thorough preparation of our case and a series of vigorous negotiations our team acquired the water and sewerage assets in use for the princely sum of \$94m. They have since been revalued, as you might observe if you look at ACTEW's annual reports. More than any other single factor, that gave ACTEW its favourable financial face which I now see being syphoned off to balance budgets. Despite what circumstance might lead me to say and do in relation to ACTEW in this place, it has been a significant contribution to the growth of our city and has, over the years, showed leadership in administration and service delivery; and I reflect fondly upon my time there.

Like many in Canberra, I have been actively involved in various sporting clubs and community organisations. I have had the privilege of working with many of the unsung and unrecognised citizens who make a massive contribution to that difficult to define thing we call community. I have worked directly with Respite Care, the Volunteer Centre and Fabric - all organisations of vital importance to the Canberra community. That experience, I believe, is invaluable preparation for a role in this place. I have a few crazy mates who are involved in the Variety Club and I have a 50 per cent stake in a Variety Club bash car, which I must confess I forgot to include in my list of interests. Through fundraising, mainly through the Variety Club bash, we have provided many thousands of dollars in support for a number of charitable causes across Canberra, including some very well appointed buses for the Woden Special School and Camp Quality. That activity has given me an insight into the many areas of need in this city. Looking at the draft sitting schedule for the Assembly, it would appear that the bash car will depart on this year's event without me. I have no doubt that the Estimates Committee and the budget debate will provide compensating excitement and personal fulfilment.

Mr Speaker, I would like to think that the foregoing history that I have self-indulgently laid before you allows me to bring to this Assembly a life experience that will complement and add a little to that which already exists or is brought by the other new chums. I am proud to be here as a Labor MLA. In this country, at this time, with this Federal Government, it is not difficult to be reminded why Australians choose to join the ALP. I am a Labor Party member because the ALP believes in the principles of equity and social justice. We stand for job security and the provision of basic rights such as accessible education and health services. As an elected representative, I regard myself as fortunate to be given the chance to make my modest contribution to reinforcing ALP principles within the administration of the ACT.

While the ALP has well over a century of history and experience, this does not mean that we can stop learning. We have certainly learnt from our poor showing at this year's election. To the people of Canberra, I offer my personal apology. We did drop the ball; we failed in our primary goal. That goal was to offer an acceptable political choice, not simply in terms of a choice between Labor and Liberal but a real choice by presenting ourselves as an alternative government. We will not fail again and we will not allow personality-based politics to deflect us from our presentation of policies and initiatives to the people. We failed also to bring gender balance to this Assembly; and be assured that the party is already reviewing that real problem. Already the signs are good; the future is shaping up much brighter for the Labor Party in Canberra; and part of that brighter future is the sense of optimism and confidence within our own Assembly Caucus.

Mr Speaker, I am very conscious of my particular responsibilities as shadow Treasurer. It looks like a very interesting job and one that I look forward to. From the outside, if you listen to the rhetoric that has emanated from this place, an old accountant like me might be tempted to believe that he has entered accrual accounting utopia. I have heard that people come from far and wide to observe how we do things around here. I have to say that I quite relish the thought of bursting a bubble or two, because I have already encountered a couple of misuses of the process at the political level; and it is nice to know that one has a job to do.

Mr Speaker, much has been said in and of this place with regard to adversarial politics. I have to observe that at times the piety and breastbeating associated with condemnation of an adversarial approach has been quite obviously contrived. As we contemplate our role here, we have been encouraged by the recognition of the legitimate functions of an opposition in the recently published Pettit report. This should go part of the way towards the general acceptance that adversarial politics is a necessary part of the process of government under the Westminster system. I would like to make the point that I view adversarial politics as extending beyond adopting a negative approach to proposals and initiatives. It is wider than the opposition gainsaying the government; it can also be engendered through ostentatious and consistent self-congratulation by government or by selected and exaggerated claims of government achievement - claims that simply scream out for a response that must be of a negative dimension. It can also be engendered by the introduction of controversial items designed more to confer notoriety on the proposal than to give the ACT good law.

Mr Speaker, we will be adversarial if that is what is called for at the time. However, along with others in the ALP, I intend to focus on positive outcomes and a cooperative approach where possible. I invite the whole of the Assembly to join with the ALP in its enlightened approach. In my limited time in this place I have observed several initiatives taken in the name of a cooperative approach to government. I am yet to be convinced that any genuinely had that noble aim. I have observed the odd devious yet transparent artifice, and I have to make the point that the low-water mark is fairly low after the Government's personalised election campaign. Conversely, at the personal level, I have been very pleasantly surprised at the friendly and civil atmosphere that pervades this Assembly. It is refreshing to know that much of the apparent tension between members is often for external consumption only. Your staff, Mr Speaker, are to be roundly congratulated on the friendly and efficient way that they have facilitated the commencement of the new Assembly and have bedded in the new staff.

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Mr Speaker, you will see that this Labor Caucus will be squarely focused on its task. It will provide the people of Canberra with an effective opposition regardless of whether some here do not fully appreciate the need for that role while others would wish to subjugate it. We will be a positive force in this Assembly and a positive influence in the Territory. The next 3½ years will present our Caucus with a new array of challenges, each one requiring our commitment, dedication and hard work. I am very confident that the Opposition is ready, willing and more than able to tackle the challenge ahead and in so doing make its positive contribution to the Assembly and, through it, the Territory. Therefore, my message to the people of Canberra is: We have a new Assembly, a new Labor team and a new playing field; and we will not fail in giving you the choice you deserve.

**MR HARGREAVES (11.29):** Mr Speaker, I rise in the chamber today with an awareness of the awesome responsibility I now have to the people of Canberra. It is customary in inaugural speeches to thank those who have contributed to one's election, and I wish to continue that tradition. I wish to thank my campaign manager, Jim Mallett, for his support, both professional and personal, over a long campaign; Michael Lindfield, Andrew Barr, Mark O'Neill and Keith Warren for their support and, of course, that of their families who supported them. Without the support of the many members of the Labor Party in the electorate, of course, I would not have had the opportunity in the first place. There were many people who guided me, assisted me and kept me focused on the task. To name them all would be far too long a task. Suffice it to say that they were the ones who ensured that I remained focused on my task - that of representing the people of Brindabella in the correct way, through talking with them and being with them. To my wife, Jenny, and my family, I owe a great deal. They were my sanity insurance; they supported me and kept me sane, although my colleague to the right might dispute that point. Without that support I would have stumbled along the way.

I owe an enormous amount of gratitude for the support from two former members of this Assembly, Terry Connolly and Annette Ellis, now the Federal member for Namadgi and hopefully soon to be the new member for Canberra. It is Annette's devotion to the people she represents which sets the standard for me in this new role. She has on many occasions put service to her constituents above personal needs; and hers is a genuine love of Tuggeranong and South Woden, which I am sure will be the same for the redistributed electorate of Canberra. If I can do as good a job of representing the people in Brindabella as Annette did as a member of this Assembly, I shall have succeeded.

Mr Speaker, I feel most honoured to be able to take my seat in this Assembly. It is a heavy responsibility which is to be taken seriously. We have the responsibility to provide sound and representative governance. But what does this mean? To me, it is the chance to give effect to the vision we all share for the people of Canberra. But where do visions come from? They do not just materialise in a dream; they come from many years of association with the ordinary people with whom we live. It is the culmination of the multitude of influences we experience as we go about our daily lives. In my case, it is through my association with community groups, with many ordinary people

who gather at events such as the football, watching and supporting the Tuggeranong Football Club; it is sharing a drink and a yarn at the Buffaloes Club on a Friday night; it is enjoying the community spirit expressed each year in the Tuggeranong Community Festival; and taking part in Tuggeranong Community Council discussions also has its influence on those taking part. Of course, membership of school boards kept me abreast of how parents and teachers struggle together to bring quality education for their kids.

Mr Speaker, my vision also stems from my association with the Australian Labor Party. The Labor Party plays a vital role in articulating the dreams of ordinary people. It is able to articulate ways of addressing the many social justice issues confronting us today. It is able to give expression to the directions we should take on educational issues, public services, cultural issues and issues of social conscience, all based on principles of social justice and economic security, principles of free speech and freedom of association, compassion and tolerance. Membership of such a party gives me a framework to guide my work for the constituency I represent - the ordinary family man and woman. I am proud to belong to such a party and immensely proud that I can represent it in this Assembly. Mr Speaker, each of us has a vision. My vision is that the kids today are able to realise the same expectations I had when I left school; that is, to have a good prospect of employment, employment in a satisfying and rewarding career with high levels of self-esteem, to take their place in society. Unfortunately, they do not have this expectation today, and I fear that unless we do something about it they never will.

I would like to see a Canberra where cultural diversity is celebrated in real terms, where interracial differences do not exist, where the different cultures are encouraged to be part of our society and where we take advantage of the richness of those cultures to enrich our world. I am passionate about a fair deal for our indigenous people and for the people of non-English-speaking backgrounds and the elimination of every kind of prejudice and discrimination. Mr Speaker, how many of us can describe in 20 words or less our cultural heritage? Not many, I suggest. In Australia, we have two heritages running parallel to each other - those of indigenous peoples and those imported national heritages from the many peoples who have chosen to make Australia their home. We should celebrate 40,000 years of indigenous history and also the last 200 years of the combination of those many cultures which make up Australia today.

The challenge is to meld all cultural heritages into one. There are ethnic communities in Canberra which have gone some way to melding their unique culture into the Australian way of life. Two which come to mind are the Philippine community and the Lao community, which have both melded into our community in a way which is a fine example to us all. I am proud to be associated with these communities and look forward to a close association with many more. So, how do we do it? We embrace the spirit of reconciliation in our hearts as well as in other ways; we encourage the celebration of other cultures and foster the continuation of diverse languages, music and personal beliefs through education and the arts. The Assembly should take a leadership role in this most essential part of our community development.

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Mr Speaker, there is often a tendency for governments to concentrate on macro issues, and in many cases rightly so, too. It is correct to consider the problems associated with macro-economic reform and big ticket items like airports and trains; perennial issues like employment, health and education. However, we should not lose sight of issues such as reconciliation. We also need to be aware of local concerns. I have found that people are just as concerned about the state of their local parks, whether the footpaths near their homes will ever be completed, the cost of a litre of milk, bus fares and whether the buses will run in their suburbs. They are also concerned about whether the local shop will have to close because of competition from larger centres, and whether the price of petrol is going to rise on payday or just before school holidays.

Mr Speaker, these are just some of the day-to-day issues confronting people today, and most of them are within our power to address. But do we? I do not know that we do it well enough. In recent times the uncompromising approach to governing espoused by both Liberal governments in this town has put a new meaning on the term "economic rationalism". They have taken the philosophy to new heights. The term "economic rationalism" has become the buzzword of the nineties. We need less emphasis on dry economic policies, privatisation and profits for a minority of the community.

We need to develop new buzzwords - ones which show that we mean to tap into people's basic needs and show that we mean to look after their interests; not only those of big business, interstate interests, personal ego trips for politicians, and a constant search for theoretical financial purity. These new buzzwords ought to be "service for the people", with the accent on "people". Let us see an end to selling off the public tupperware just because the silverware has already been sold. Public assets returning revenue to the people of the ACT pay for those essential welfare systems on which the less well-off depend. If the revenue-making entities are doing well, we do not have to suffer significant price rises. For example, if we abolish the Milk Authority the inevitable increased price of milk to the elderly and young families will become an unfair burden on those that cannot afford it.

Mr Speaker, I am grateful to the people of Brindabella for giving me the opportunity to represent them in this Assembly. It is an honour which I treasure and one which provides me with the greatest challenge of my life. The expectation of so many people is a daunting responsibility. I believe that to be truly representative we need to get back to the people, to reconnect. The people in Canberra do not always see this Assembly in a good light. Is this because we have not really connected with them? Perhaps this is a personal challenge for all of us.

**MR SPEAKER:** On behalf of all other members of the Assembly, I would like to thank the five new members for their considered, thoughtful and indeed sincere contributions to the debate in their inaugural speeches.

Question resolved in the affirmative.

## DAYS OF MEETING

**MR HUMPHRIES** (Attorney-General, Minister for Justice and Community Safety and Minister Assisting the Treasurer) (11.40): Mr Speaker, I seek leave to move a motion concerning the days of meeting of the Assembly for 1998.

Leave granted.

**MR HUMPHRIES:** Mr Speaker, I move:

That, unless the Speaker fixes an alternative day or hour of meeting on receipt of a request in writing from an absolute majority of Members, or the Assembly otherwise orders, the Assembly shall meet as follows for 1998:

April		29	30
May	19	20	21
	26	27	28
June	23	24	25
August	25	26	27
September	1	2	3
	22	23	24
October	27	28	29
November	17	18	19
	24	25	26
December	8	9	10

The motion proposes a sitting pattern which has obviously been tempered by the election held in February. It provides for the usual gap between sittings in the autumn and sittings in the spring. It also provides for a gap of approximately a month between the September and October sittings, when members, if they desire, may work through a committee of the Assembly to scrutinise annual reports produced by government before that point.

Mr Speaker, there has been negotiation on this pattern. I believe it represents a reasonable workload for the Assembly throughout the year. Obviously, it comes with the proviso that if for some reason the Assembly finds that its volume of work exceeds the available days in which to deal with that work it can consider a motion for extra sitting days or an absolute majority of members may petition you as Speaker to allocate extra days. I commend the motion to the Assembly.

Question resolved in the affirmative.

**COMMITTEES - STANDING AND SELECT  
Establishment**

**MR OSBORNE** (11.42): I seek leave to move together two motions concerning the appointment of standing and select committees. These motions establish a Standing Committee for the Chief Minister's Portfolio, whose work will include the work of a Public Accounts Committee; a Standing Committee on Health and Community Care; a Standing Committee on Justice and Community Safety, whose work will include the work of a Scrutiny of Bills and Subordinate Legislation Committee; a Standing Committee on Urban Services; a Standing Committee on Education; and a Select Committee on the Report of the Review of Governance of the Australian Capital Territory.

Leave granted.

**MR OSBORNE:** I move:

That:

**General Purpose Standing Committees**

- (1) The following general purpose standing committees be established to inquire into and report on matters referred to them by the Assembly or, after the Assembly's endorsement, matters that are considered by the committee to be of concern to the community:
  - (a) a Standing Committee for the Chief Minister's Portfolio to examine matters related to the portfolio of the Chief Minister including government coordination of business services, inter-government relations, public sector administration, workplace relations and employment, government strategic priorities, business development, tourism, communications, information technology and multimedia, arts and cultural services, audit, fiscal and economic policy, taxation and revenue, competition policy, government business enterprise policy and monitoring, and any other matter under the responsibility of the portfolio Minister;
  - (b) a Standing Committee on Health and Community Care to examine matters related to health and community care policy, planning and purchasing acute, community health and population health services, hospitals, and any other matter under the responsibility of the portfolio Minister;



- (c) a Standing Committee on Justice and Community Safety to examine matters related to administration of justice, legal policy and services, registrar and regulatory services, electoral services, consumer affairs, corrective, emergency and police services and fair trading, and any other matter under the responsibility of the portfolio Minister;
  - (d) a Standing Committee on Urban Services to examine planning and lease management, road and transport services, housing and housing assistance, government purchasing and public utilities purchasing, electricity industry and regulation, construction industry policy, parks and forests, private sector employment inspectorate, building services, environment, heritage, and municipal services, and any other matter under the responsibility of the portfolio Minister;
  - (e) a Standing Committee on Education to examine education, schooling, training services, children's, youth and family services and sport and recreation, and any other matter under the responsibility of the portfolio Minister.
- (2) The Standing Committee for the Chief Minister's Portfolio also will perform the duties of a public accounts committee, specifically:
- (a) to examine:
    - (i) the accounts of the receipts and expenditure of the Australian Capital Territory;
    - (ii) the financial affairs of authorities of the Australian Capital Territory; and
    - (iii) all reports of the Auditor-General which have been laid before the Assembly;
  - (b) to report to the Assembly, with such comments as it thinks fit, on any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the Committee is of the opinion that the attention of the Assembly should be directed; and

- (c) to inquire into any question in connection with the public accounts which is referred to it by the Assembly and to report to the Assembly on that question.
- (3) The Standing Committee on Justice and Community Safety also will perform the duties of a scrutiny of bills and subordinate legislation committee, specifically to consider whether:
- (a) any instruments of a legislative nature which are subject to disallowance and/or disapproval by the Assembly (including a regulation, rule or by-law) made under an Act:
    - (i) meet the objectives of the Act under which it is made;
    - (ii) unduly trespass on rights previously established by law;
    - (iii) make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions; or
    - (iv) contain matter which should properly be dealt with in an Act of the Legislative Assembly;
  - (b) the explanatory statement meets the technical or stylistic standards expected by the Committee;
  - (c) clauses of bills introduced into the Assembly:
    - (i) do not unduly trespass on personal rights and liberties;
    - (ii) do not make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
    - (iii) do not make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;
    - (iv) inappropriately delegate legislative powers; or

- (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny;
  - (d) the explanatory memorandum meets the technical or stylistic standards expected by the Committee;
  - (e) if the Assembly is not sitting when the Committee is ready to report on bills and subordinate legislation, the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing and circulation.
- (4) Each committee shall consist of three members.
  - (5) If the Assembly is not sitting when the Standing Committee on Urban Services has completed consideration of a report on draft Plan variations referred pursuant to section 25 of the *Land (Planning and Environment) Act 1991* or draft Plans of Management referred pursuant to section 203 of the *Land (Planning and Environment) Act 1991*, the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, circulation and publication.
  - (6) Each committee shall have power to consider and make use of the evidence and records of the relevant standing committee appointed during the previous Assembly as determined by the Speaker.
  - (7) Each committee be provided with necessary staff, facilities and resources.
  - (8) The foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

That:

**Select Committee on the Report of the Review of Governance**

- (1) A Select Committee on the Report of the Review of Governance be appointed to examine the recommendations made in the Report of the Review of the Governance of the Australian Capital Territory, chaired by Professor Philip Pettit, and any other related matter.

- (2) The Committee be composed of:
  - (a) one Member to be nominated by the Government;
  - (b) one Member to be nominated by the Opposition; and
  - (c) one Member to be nominated by either the Independent Members or the ACT Greens;to be notified in writing to the Speaker by 2.00 p.m. on Thursday, 30 April 1998.
- (3) The Committee report by the first sitting day of August 1998.
- (4) The foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

Quite obviously, a number of members are not happy with the arrangements in regard to these new committees, but I remind those members that these arrangements are very much in line with the recommendations of Professor Pettit and his report. It is a committee style that both Mr Rugendyke and I advocated during the election campaign and that I had been advocating for a long time before that. I think it will be a worthwhile exercise.

The two major criticisms by some people are that the Public Accounts Committee and the Scrutiny of Bills Committee will disappear and that this will lessen the scrutiny of the Government. In response to the first complaint, I would argue that the responsibilities of both of those committees will be taken up by new committees. I am quite comfortable with the new arrangement. I think this new model gives members the potential to scrutinise departments and Ministers to a far greater extent through specialist committees that follow a department and a Minister from day one. I commend the motions to the Assembly.

**MR BERRY** (11.45): At the outset I indicate that later on I will be moving amendments to this proposal which has been put forward by Mr Osborne. Let the record show that this proposal was first advocated by members of the Executive once they were elected and by the Chief Minister. The very first question that arises from that revelation is: Why would the Executive propose a particular committee process? It is the one they are most comfortable with. The Chief Minister, with the support of the Osborne group, made it clear that this was the committee process which was going to be put in place in the Legislative Assembly.

**Mr Osborne:** I raise a point of order. I think Mr Berry has his facts wrong. I said quite clearly that this model was something that I had been speaking about for nearly 12 months. I do not know where Wayne gets his facts from.

**Mr Corbell:** Mr Speaker, there is no point of order. Mr Osborne is using the opportunity to debate the issue.

**MR SPEAKER:** I uphold Mr Corbell's comments.

**MR BERRY:** The Executive are committed to the committee process they are most comfortable with, and we need to raise questions about that. Traditionally, in the Westminster system committees have been a tool of the parliament, not a tool of the Executive. Their purpose is to scrutinise the Executive and the Public Service, to ensure that the parliament maintains its supremacy over the Executive in respect of their management of the Government and the Public Service.

For us to sit idly by and ignore the important precedent which is being set by the Government would be to do the parliamentary system under which we operate a disservice. It is quite inappropriate for the Executive to propose a system of committees and press for the imposition of that system on the parliamentary system. Any change ought to have been born out of the Assembly. One wonders why the Government's own backbench members, Liberal members, were not involved as members of the parliament in developing the proposed system. I will tell you why. This arrangement is something that the Executive is comfortable with.

The proposed committees are born out of the raw politics of the Legislative Assembly and the need for the Government to maintain an element of control over arrangements which will exist in this place. I note that at the meeting where these standing committees were first proposed the Chief Minister indicated that she would be happy to put forward to the Remuneration Tribunal a proposal that the chairs of these committees receive a larger allowance. That would be based on the committees having larger responsibilities. The first few weeks of the new Legislative Assembly have been dogged by a passionate interest in increased income. It strikes me that there has been a rather crude focus on increasing income instead of on our duty as committee members to serve the people who elected us.

I do not recall anybody in the last Assembly or in recent Assemblies criticising the committee system. It strikes me as rather strange that all of a sudden we need a completely changed arrangement which focuses on committees shadowing Ministers. The most obscene thing has been the Government's approach to the Pettit report. So much weight has been placed on the Pettit report that I understand that in a short time the Government will move a motion establishing a committee of inquiry to examine the Pettit report and the implementation of the recommendations of that report. Yet the Government and Mr Osborne support the establishment of these committees, the end of the Public Accounts Committee and the Scrutiny of Bills Committee and a changed emphasis on the committee structure as a whole, without having first heard the outcome of the committee that will examine the Pettit report. Is that not strange? They do so for good reason. We are going through the charade of establishing a select committee to look at a whole range of issues except for a couple, the most important being the restructuring of committees.

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Mr Speaker, it is important that the record show how these committees were established. They are an instrument of the Executive. Mr Osborne rightly says that he has supported such a system of committees for some time, but it is not a system whose origins we should be proud of. The establishment of committees by the Executive tells us all of the things that the people of Queensland were told in the days of the Bjelke-Petersen Government. I am not saying that tomorrow there is going to be widespread corruption in the ACT and that laws will be passed which will immediately infringe the civil liberties of ordinary Canberrans, but to me it is very clearly a starting point.

The Public Accounts Committee is a broad-based committee which has looked carefully at the expenditure of public funds in the ACT over many years. It has developed a proud tradition of being a bipartisan committee, or tripartisan committee involving the crossbenches and all of the political parties. It has been a very successful committee. It has never been criticised. The same applies to the Scrutiny of Bills Committee. In a number of instances these committees have played an important part in the development of legislation and expenditure proposals in the ACT.

Mr Speaker, I rise merely to make a point about how these committees developed and the unsatisfactory level of consultation which occurred with the Labor Party in respect of their development. The development of these committees flies in the face of all of the rhetoric that we hear from the crossbenches and the Government in respect of change. We have heard about inclusiveness; we have heard about the need for a change; we have heard about the need for a less adversarial approach. I read that as trying to create circumstances in which the Government and their supporters have less opposition. It strikes me that this is about them ensuring, if they can, that the people who traditionally oppose the moves of conservative governments are muted in some way. They will not be if you are referring to the Labor Party. Smarter people have tried these sorts of things on us in the past and they have not worked. This is very clearly a movement in direction to try to take some weight off the Government. Mr Speaker, I will leave it there and in due course I will move my amendments.

**MR SPEAKER:** I think it would be appropriate if you moved them now, Mr Berry.

**MR BERRY:** I can speak to them as well.

**MR SPEAKER:** Yes. It would then open them up to debate, which I think is sensible.

**MR BERRY:** Thank you, Mr Speaker, for your advice. The amendments propose the establishment of further committees in the Assembly to deal with the issues of public accounts, scrutiny of Bills, planning and the environment. I seek leave to move my amendments together.

Leave granted.

**MR BERRY:** I move:

(1) Omit paragraph (2), substitute the following paragraph:

“(2)(a) A Standing Committee on Public Accounts be appointed to:

(i) examine:

(A) the accounts of the receipts and expenditure of the Australian Capital Territory;

(B) the financial affairs of authorities of the Australian Capital Territory; and

(C) all reports of the Auditor-General which have been laid before the Assembly;

(ii) report to the Assembly, with such comments as it thinks fit, any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the Committee is of the opinion that the attention of the Assembly should be directed; and

(iii) inquire into any question in connection with the public accounts which is referred to it by the Assembly and to report to the Assembly on that question;

(b) the Committee shall consist of five members;

(c) the Committee shall have power to consider and make use of the evidence and records of the Standing Committee on Public Accounts appointed during the previous Assembly;

(d) the Committee be provided with the necessary staff, facilities and resources;

(e) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.”.

(2) Omit paragraph (3), substitute the following paragraph:

“(3)(a) A Standing Committee for Scrutiny of Bills and Subordinate Legislation be appointed;

(b) the Committee shall, with respect to any instrument of a legislative nature which is subject to disallowance and/or disapproval by the Assembly (including a regulation, rule or by-law) made under an Act, consider whether the instrument:

(i) is in accord with the general objects of the Act under which it is made;

(ii) unduly trespasses on rights previously established by law;

(iii) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions; or

(iv) contains matter which in the opinion of the Committee should properly be dealt with in an Act of the Legislative Assembly;

(c) the Committee shall, with respect to the clauses of bills introduced into the Assembly, consider whether such bills:

(i) unduly trespass on personal rights and liberties;

(ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;

(iii) make rights, liberties and/or obligations unduly dependent upon non-reviewable decision;

(iv) inappropriately delegate legislative powers; or

(v) insufficiently subject the exercise of legislative power to parliamentary scrutiny;

(d) the Committee shall consist of three members;



- (e) if the Assembly is not sitting when the Committee is ready to report on bills and subordinate legislation, the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing and circulation;
  - (f) the majority of members constitutes a quorum of the Committee;
  - (g) the Committee be provided with the necessary additional staff, facilities and resources.”.
- (3) After paragraph (3) insert the following new paragraphs:
- “(4) a Standing Committee on Planning be appointed to examine matters related to planning, land management, commercial development, industrial and residential development, infrastructure and capital works, heritage;
  - (5) a Standing Committee on Environment be appointed to examine matters related to sustainable development, science and technology, the environment, conservation, energy and resources.”.
- (4) Paragraph (5), omit “Standing Committee on Urban Services”, substitute “Standing Committee on Planning”.

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- (5) Omit paragraph (2), substitute the following paragraph:
- “(2) the Committee be composed of 5 members to be notified in writing to the Speaker by 5.00 p.m. on Thursday, 30 April 1998.”.

Mr Speaker, let me deal with the Standing Committee on Public Accounts. The Fitzgerald inquiry in Queensland was a memorable inquiry which turned up all sorts of corruption and mismanagement in the Queensland Parliament. Let us not forget the similarities between the parliamentary system there and the one here. They are both unicameral systems, and in many ways the Executive can become the supreme decision-making body when matters are not referred to a second chamber.

In those circumstances the committee system needs to be based on a clear understanding that there is a need for scrutiny committees quite separate from the policy committees which have been the practice in this place. Let me read to you a couple of paragraphs.

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I said earlier that I do not expect these changes to result in widespread corruption in the ACT or an immediate infringement of civil liberties, but in my view we need to be concerned about this step. This is what the inquiry report said on page 124:

Without information about Government activities and research staff to properly assess it, the opposition party or parties have no basis on which to review or criticise the activities. Without information, there can be no accountability. It follows that in an atmosphere of secrecy or inadequate information, corruption flourishes. Wherever secrecy exists, there will be people who are prepared to manipulate it.

I raise that, Mr Speaker, because that principle is very important in the scheme of things for scrutiny committees in the ACT Legislative Assembly. Under our system the committee secretariat has developed expertise in relation to the ongoing inquiries of the Public Accounts Committee, and it would be a shame to see that expertise watered down by the need to pursue more political objectives through the policy committees which are proposed by the Executive and Mr Osborne. It is necessary to ensure that that level of expertise is maintained in the committee secretariat through a Public Accounts Committee. That is why the Labor Party is proposing such a committee. A Public Accounts Committee was the subject of much discussion in Queensland, where pressure was brought to bear from within the coalition there to ensure that such a committee was established. The report also states:

A Public Accounts Committee was established in 1988, as was a Public Works Committee. The latter has the potential to prevent many of the problems arising from Cabinet's intrusion into the details of administrative decision making, and is to be commended.

The Public Accounts Committee has a long tradition of scrutiny of government, Executive and Public Service decisions in this country. Let me refer to a document from the Australian Council of Public Accounts Committees that talks about an ideal public accounts committee. I am quite happy to table the document, if that is the wish of members. The preamble states:

The Committee aims at all times to adopt a co-operative and non-partisan approach to its work.

The Committee endeavours to establish and maintain a constructive working relationship with government.

The Committee's objectives and powers should be enshrined in legislation.

The Committee will operate during the life of each Parliament, meeting when the House is in session, recessed or prorogued. The Committee ceases to exist when the Parliament is dissolved.

I will table that, if I may, because I think it is an issue that will be of interest to members.

Leave granted.

**MR BERRY:** Mr Speaker, if we dissolve the existing arrangements or if we do not persist with the existing arrangements for a Public Accounts Committee, we will be the only parliament in Australia without one. I notice that Mr Osborne, in his motions to establish committees, tacked on the role of a Public Accounts Committee and a Scrutiny of Bills Committee. (*Extension of time granted*) It seems that this was a last-minute move to try to persuade people as to the arrangements which have been proposed by the Government. Tacking these committees onto those committees which were proposed by the Executive makes our case for a Public Accounts Committee stronger. It shows that it is an add-on and that there is not a proper understanding of the role of a Public Accounts Committee. The Government would just as soon see the end of the Public Accounts Committee, as would the public servants because they do not want people sniffing around in their affairs.

I am surprised that Independents in this place would accept a proposition that dumps such a bipartisan committee. I propose a Standing Committee on Public Accounts in its traditional form, for very good reason. The Public Accounts Committee has played a positive role in the development of our body politic in the ACT and the development of the ACT Public Service and should be allowed to do so independently in future rather than being attached to a policy committee. The nature of the Public Accounts Committee will be undermined. So too will the policy directions of the committee to which it is attached be upset.

My amendments also seek to establish a Scrutiny of Bills Committee, for all of the right reasons. The Scrutiny of Bills Committee has been described by some as a machinery committee that merely stamps the expert advice provided to the Assembly. If you strike out the Scrutiny of Bills Committee, you will put us out of step with other parliaments in Australia. You will also ensure that there is not sufficient scrutiny of legislation and subordinate legislation in the ACT. The Scrutiny of Bills Committee - another bipartisan committee not involved in policy issues - has uncovered a number of issues embarrassing for the Government.

Why would the Government want to get rid of it? For good reason. They are sometimes embarrassed about it. Let us not forget the health fees fiasco. With retrospective subordinate legislation, the Government attempted to set health fees. There was a long struggle about how that matter should be remedied. In the end legislation was passed, as it should have been in the first place. The Scrutiny of Bills Committee uncovered that. That is their role in life. The committee is an extremely important part of looking at legislation and subordinate legislation in this Assembly.

It also looks at infringements of civil liberties and those sorts of things. It would be a matter of some importance to me if the Scrutiny of Bills Committee were put into a committee chaired by Mr Osborne, who has an avowed position of impacting on the civil liberties of Canberrans with move-on powers. How could the committee dealing

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with these issues properly and independently assess the impact of such proposed legislation on the civil liberties of all Canberrans? I say to you that it could not look at that legislation independently. Mr Osborne laughs because he thinks the infringement of civil liberties is a laughing matter. This committee could not actively and independently scrutinise those activities if it were joined with the policy committee.

Labor has also proposed the addition of a Planning Committee. As somebody with some experience on the Planning Committee over the years, I can say that it has clearly been the busiest committee in the Assembly. I do not think there is any doubt or any contest about that. In the last Assembly environment issues were attached to the committee. In my view, that detracted from the activities of the committee and from the activities that might have been pursued on environment issues.

There are people who would disagree. They are attached to the coalition; I am not. Planning is an important issue in the hearts and minds of many people in the Territory, particularly in the electorate of Molonglo. It is an extremely important issue in the Territory which deserves separate attention. Too many times we hear members in the community rightly complaining that their concerns are not being properly considered. If the planning issues are dealt with in the Urban Services Committee, what will suffer? I suggest that consideration of both planning matters and environmental matters will suffer because of the raft of urban services issues that the committee will have to consider. If you allow the Urban Services Committee to be watered down by the activities of a Planning Committee, then you are interfering with that committee's role. On the other hand, the urban services issues which might impact on the committee's workload will also water down consideration of planning issues which a Planning Committee might pursue.

The same applies to the environment. For a long time this Assembly has had a separate committee for the environment. It is an important issue for all Canberrans, young and old. A separate committee would show that this Assembly has an interest in dealing with the issue as a specific matter. I can understand why the Liberals are not particularly attached to that idea. Mr Moore would not accept that the committee he chaired did anything wrong. Nobody is suggesting that. I am suggesting that we would be better served by separate committees as proposed in the amendments, and I urge members to support the amendments.

**MR MOORE** (Minister for Health and Community Care) (12.08): Let me respond to the last comment by Mr Berry. I am not so concerned about whether the committee I chaired ever did anything wrong. It is how much it set out to achieve and what it did achieve in both planning and the environment that I am proud of. It must be particularly embarrassing for Mr Stanhope and Mr Quinlan, having said to this Assembly only a short while ago - less than a couple of hours ago - that they are not going to oppose for opposition's sake, to hear from one of their members, Mr Berry, that he is amending the motions about the committee system.

The whole basis of Mr Berry's argument, except for the last little bit about a Planning Committee and an Environment Committee, is that under Mr Osborne's motions we will not have a Standing Committee on Public Accounts or a traditional Scrutiny of Bills Committee. No, we will not, Mr Berry. In fact, we will have an improved system.

Effectively, we will have five standing committees on public accounts and five standing committees on the scrutiny of Bills. We are asking each of the committees to look at those matters. Under the motion, the Standing Committee on Justice and Community Safety will also perform the duties of a Scrutiny of Bills Committee and the Standing Committee for the Chief Minister's Portfolio will perform the duties of a Public Accounts Committee. It seems to me, Mr Speaker, that there is an argument to be put - and Mr Berry has put it - on splitting planning and the environment and having a separate committee for each. I understand the sense of that. The rest of what Mr Berry has put is clearly opposition for opposition's sake.

The motions put by Mr Osborne give effect to an idea that he put many months ago, an idea that he tested by putting it to the Pettit inquiry, which found that this is the method that should be used. Mr Berry's stand is opposition for opposition's sake. I would say to Mr Stanhope and to Mr Quinlan that a very interesting test of their leadership will be whether they allow Wayne Berry to continue in the same way as he proceeded prior to the last election when he was Leader of the Opposition or whether they will require him to take the same sort of approach that Mr Stanhope genuinely advocated this morning when he spoke about not opposing for opposition's sake and about having proper discussions.

**MS TUCKER** (12.11): There are a number of concerns about changing the status and management of the Public Accounts Committee and the Scrutiny of Bills Committee. I do not know that this is the appropriate time to go into full detail, but I would like to outline a couple of reasons why I think we do need to have this discussion. I do not agree with Mr Moore that opposing this proposal of Mr Osborne's is opposition for opposition's sake. I did not have a lot of knowledge about the role of the Scrutiny of Bills Committee or the Public Accounts Committee, not having been on either; but when I saw the proposal that they should no longer be here I asked various people who have expertise in the area to give me references so that I could read up on this subject.

Having read up on the subject, I believe that this is an issue of concern. I will be supporting Mr Berry's amendments to Mr Osborne's motions this morning, although I will be seeking later to divide the question, because I want to separate the planning and environment issue from the question of establishing a Scrutiny of Bills Committee and a Public Accounts Committee. I will support Mr Berry's amendment to Mr Osborne's motion to establish a Public Accounts Committee and a Scrutiny of Bills Committee and I foreshadow that, once the select committee is set up to look at the Pettit report, I will be asking that those questions be looked at then in the context of the Pettit report.

Just briefly, the concerns about merging the Public Accounts Committee and the Scrutiny of Bills Committee with the existing committees are serious. These are important issues. The history of the Scrutiny of Bills Committee has been that you do not merge the political debate on the merit of particular legislation or subordinate legislation with the discussion of the technicalities of it. It looks at such fundamental issues as appeal rights, conferral of discretionary powers and the infringement of civil liberties. I absolutely agree with the example Mr Berry put about move-on powers, and I am appalled that people laughed at that concern, because if you actually want to see checks and balances in a unicameral system through the presence of a separate Scrutiny of Bills Committee, something such as move-on powers obviously would be of interest.

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Obviously, you could have concerns that the same three people who are going through the debate on the policy and merit of move-on powers then have to switch over, put on a different hat, and look at the whole issue of civil liberties for the citizens. The reading that I did on this matter was very strong on the importance of having that committee quite separate. It has been reported in a number of newspapers that I read as being one of parliament's oldest and most respected watchdogs of personal rights and freedoms.

If we merge these committees, the priority that their work will be given is definitely going to be of concern. The work of the Public Accounts Committee and the Scrutiny of Bills Committee, when mixed up with the hurly-burly of the more interesting policy debates, may become quite low down in terms of the priorities given by those committees. While the current proposal of Mr Osborne's is not to break up the work of these committees totally but to move the committees in their completeness to the Standing Committee on Justice and Community Safety and the Standing Committee for the Chief Minister's Portfolio, there are still serious concerns about the implications of this move. It is interesting to note that, as Mr Berry pointed out, these committees were formed in Queensland after the Fitzgerald inquiry. It is also interesting to note that right now the Northern Territory Government is resisting a move to introduce a Scrutiny of Bills Committee. They have only scrutiny of subordinate legislation at the moment. Why would government resist such a move? Could it be that they do not want extra scrutiny? What are we doing in the ACT? It is quite reasonable to suggest that we are trying to downgrade the role of these committees. Also, I am very concerned about the lack of consistency in how the Pettit report has been taken up. One minute we are told that something is, somehow, absolutely okay because Pettit recommended it, that that is the stamp of credibility that we need, although we have been told consistently that the report is advisory only and that we would have a select committee look at the recommendations of Philip Pettit.

Incidentally, Philip Pettit suggested that the functions of the Scrutiny of Bills Committee and the Public Accounts Committee could be assumed, with benefit, by the agency-tracking committees. Obviously, some members have decided that they do not like that proposal, probably because there are real issues with it, such as having to have a committee that is called the Public Accounts Committee because the Audit Act refers to such a committee. There have been changes made already to some of Pettit's recommendations and this inconsistency is extremely concerning. Mr Pettit's report was supposed to be only advisory. I believe that we as a parliament are entitled to have an opportunity to discuss the recommendations and to question the assumptions in the report.

I am very concerned that the new member for Ginninderra, Mr Rugendyke, has not taken a more cautionary approach to this issue. I have not been a member of the Scrutiny of Bills Committee or the PAC, as I said; but what I have read about it has given me enough concern to want this parliament to have the opportunity, through a committee, to look at the implications. Pettit's report did not present any argument in depth for his recommendation devolving responsibility for these committees to the departmentally-aligned committees. He proposed the establishment of certain committees. He did not, by the way, provide any helpful analysis of the Executive committees proposal put up by the Chief Minister.

Mr Speaker, I seek leave to table the advice that I asked the Clerk for on Executive committees, because I believe that people, in the future, are going to be interested in seeing what I am referring to and what other members are referring to in debates about this restructuring of our committee system.

Leave granted.

**MS TUCKER:** Basically, while it was Philip Pettit's choice not to look at these issues in depth, we as an Assembly should be very concerned to ensure that we are fully across both sides of the argument. That is all I am asking. I will support Mr Berry's amendments to Mr Osborne's motions today to establish a Public Accounts Committee and a Scrutiny of Bills Committee. When we actually establish the select committee, I am asking that we refer Pettit's proposals and the upgraded or changed Pettit proposals that we have been presented with today by Mr Osborne to that committee so that we can have a good look at them.

I could argue that the whole committee structure should not have been rearranged before such a committee has reported, but I do not think it has such worrying implications for democracy. It is not much more than an administrative restructure and it may well have some benefits. I am, however, very interested in how the functions of those committees may be changed. Obviously, Philip Pettit has suggestions there. I have no idea at this point what status those recommendations have in this place, that is, whether they, too, will be adopted straightaway or whether the select committee will have an opportunity to look at them first. That is a very unsatisfactory situation. If that is the way this Assembly is going to work, then we have certainly not made any gains in open and inclusive processes; to the contrary, in fact. I ask Mr Rugendyke particularly and Mr Osborne to support Mr Berry's amendments, which are basically about allowing reasonable discussion and information flow on the proposal to change the way we manage the Scrutiny of Bills Committee and the Public Accounts Committee before we change the system.

**Mr Berry:** Mr Speaker, I seek leave to have incorporated in *Hansard* the advice to which Ms Tucker referred and which she tabled.

Leave granted.

*Document incorporated at Appendix 1.*

**MR WOOD (12.21):** Mr Speaker, I claim to speak with some authority in this debate. At various times I have chaired each of the committees we are discussing in the main today, that is, the Public Accounts Committee and the Scrutiny of Bills Committee. My experience on those committees leads me to support very strongly their continued separate existence. Mr Moore claimed, when he spoke, an improved system. I might say that I was not greatly impressed by Mr Moore. I found him unconvincing, especially for his first speech from the ministerial benches. I would think it inappropriate for him to stand up and say that every time we present an alternative view we are somehow being negative. I am disappointed at that response.

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Mr Moore's main argument was that we will have five separate scrutiny committees and five separate public accounts committees. In fact, that argument says it all. That argument is one that we are giving, because that argument says that the intensity of the work of those committees is going to be dissipated, to be spread, and that it will not be enhanced, that it will be diminished. There will not be concentrated attention, not just to the particular issues coming before those five committees, but to the general issues that apply, the principles that each of those committees follows. There will be no further development of the principles behind those committees. I think that is a great disappointment.

These two committees to which I give most attention are key committees. There is a long record in parliaments across Australia of incorporating these committees into their activities. The two previous speakers, for example, have mentioned Queensland. I can speak well for the system that applied in Queensland at one time. The public accounts committees and the scrutiny of Bills committees are not longstanding committees in the history of our parliaments.

**Mr Moore:** Did you serve on the Queensland committees?

**MR WOOD:** There were no parliamentary committees in Queensland, Mr Moore. There were committees behind closed doors somewhere, no doubt. Parliaments have fought hard to get these specialist committees and now we are giving them up. I think it is very unfortunate. I said before that the committees have a general role. There are important principles that each of them maintains. For example, the Scrutiny of Bills Committee looks at the rights of citizens and their civil liberties. It looks at and defends the right of the Assembly - take note, Executive members - against the dominance of the Executive. They are continuing issues that emerge as we consider the Bills and the issues that come before us when we are on those committees. They cannot be dealt with in the same depth and with the same breadth of knowledge by the five different committees that Mr Moore spoke about.

It is an interesting point, although I would never claim it as a binding point, that the PAC and the Scrutiny of Bills Committee are the only committees of this Assembly that are referred to in our legislation. There is also a reference that I think is deemed to be to the Administration and Procedure Committee. They are the only committees referred to in legislation. That is an interesting point. It has been written down on what we have passed. Think about that.

**Mr Moore:** The Planning Committee is referred to in legislation.

**MR WOOD:** The Planning and Environment Committee is, too. I take your point, Mr Moore. This coalition proposal - and that is what it is; it is a broad coalition proposal now - will not provide the level of attention and the quality of scrutiny that are demanded. I have had the privilege of attending conferences of members of each of those committees from all the parliaments of Australia. I scratched my head, I have to say, at the outset over how interesting they would be. I went to a conference in Adelaide of members of scrutiny of Bills committees, I think it was last year - Mr Hird was there - and I had my doubts about it; but it was an education to me, as was a meeting in Sydney of PAC chairmen, I think, in that instance.



The study by parliaments of this nation of all the issues that come before those committees is an expanding area, and it is an area that is doing a great deal to improve the democratic way of proceeding in the parliaments for the people that they serve. I think it is clear, when Mr Moore argues that that is to be dissipated amongst five committees, that we just will not have that level of attention, and this Assembly will suffer. I believe that putting it onto these committees is an afterthought and that is the way it will be treated. I do not think it is practical, either. Everybody who has chaired the Scrutiny of Bills Committee - Mr Humphries and everybody else - will acknowledge that it depends enormously on the technical advice that it gets. I suspect that in the end each of the five committees will get a bit of paper from that technical expert. Are you going to provide the resources and the funds to have him trot along to every meeting that you have where legislation is involved?

**Mr Humphries:** Do you need to?

**MR WOOD:** I will acknowledge that when I was chairing the Scrutiny of Bills Committee I needed to, and I suspect, Mr Humphries, that when you chaired that committee you needed to as well. Do you think that the debates that you had with Professor Whalan were not instructive and were not important? They were to me.

**Mr Moore:** It helped you to understand the legislation. It should happen to more people.

**MR WOOD:** It is not just a matter of having a bit of paper, a bit of advice, put in front of you; it is the debate that you have with that legal adviser.

**Mr Moore:** That is the whole point.

**MR WOOD:** Thank you, Mr Moore. I think you are arguing against yourself, Mr Moore. Your interjections are against yourself there. I accept that; they are very important. Mr Moore might have to stand up and tell me now that the legal adviser will go to every meeting where he is required and the Government will fund it. He will be run ragged, I suspect. I do not think it is practical to do that; it is just not practical. It will not work and it will further diminish the work of those committees. I leave it at that. They are important committees. Their role is increasing, to the benefit of this parliament and all parliaments. Let us see that it continues and does not go into reverse.

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

**ADMINISTRATION AND PROCEDURE - STANDING COMMITTEE  
Membership**

Motion (by **Mr Corbell**, by leave) agreed to:

That Mr Corbell, Mr Hird, Mr Osborne and Ms Tucker be appointed to the Standing Committee on Administration and Procedure, in addition to Mr Speaker.

**Sitting suspended from 12.31 to 2.30 pm**

**QUESTIONS WITHOUT NOTICE**

**Employment - Private Sector**

**MR STANHOPE:** Mr Speaker, my question is to the Chief Minister. In the *Canberra Times* of 19 April a spokesman for the Chief Minister claimed that there had been a significant shift in jobs in the ACT from the public sector to the private sector - from an estimated 75,000 in each sector two years ago to a ratio now of 90,000 private sector jobs to 60,000 jobs in the public sector. Does the Chief Minister agree with the statement attributed to her spokesman? Can the Chief Minister indicate where in the private sector these jobs have been created and the proportions that are full time, part time, permanent or casual?

**MS CARNELL:** Off the top of my head I can just roll those figures off! Actually, of course, I can, Mr Speaker. I am really pleased to be asked a question on jobs, and I am actually very surprised that the Labor Party would ask such a question, particularly as the first cab off the rank. It is a great change. Jobs are, without doubt, one of the most important issues in front of this Assembly. I think I would be right in saying that in the last Assembly we had virtually no questions on jobs or business or anything terribly important at all. So, maybe this really does mean that there is a change.

Mr Speaker, as those opposite may have noticed, the number of jobs currently in the ACT, as of the last ABS statistics, I think, is 157,100. Mr Speaker, that is really interesting, when you take into account that when we came to government in 1995 there were 153,800. So, that has gone from 153,800 to 157,100 since the time of the last Government and up to the last set of ABS statistics. That is an increase of 3,300 jobs. I think that is a fairly good outcome, Mr Speaker, taking into account the huge Federal Government downsizing that occurred during that time.

Mr Speaker, where could those jobs be? We know that there are fewer Commonwealth Government jobs. We know that there are fewer ACT Government jobs. So, where could they be? Guess where they are, Mr Speaker. They are in the private sector, because they cannot be anywhere else. They are not in the Federal Public Service.

They are not in the ACT Public Service. So, by their very nature, they have to be in the private sector. That means that not only has the private sector picked up the extra 3,300 jobs we have now, since we came to government, but it has picked up the huge amount of Commonwealth Government downsizing as well, Mr Speaker.

Where are those jobs? I think that was the second part of the question, Mr Speaker. Predominantly, those jobs are in such areas as information technology. As we have seen from the Morgan and Banks statistics, the Yellow Pages statistics and, of course, also the executive index, the ACT is regarded as one of the best cities in Australia in terms of executive jobs in the information technology area. Certainly, the level of enthusiasm, the number of jobs that are available and the general attitude of the information technology, high-tech and advanced technology area are quite stunning. The number of jobs that have been created in that area is great.

But, Mr Speaker, we should never underestimate the importance of other sectors, such as the retail sector. We know that our retail statistics have outstripped those of most States in Australia over the last 12 months. In fact, the statistics that have been available for both retail and motor vehicle sales have again been quite stunning. It has been wonderful to see, certainly over the last 10 months or so, retail sales statistics regularly outstrip those in the rest of Australia, or certainly be in the top few. Of course, the retail sector is a major job creator. We also should not underestimate the importance of the hospitality sector, Mr Speaker, particularly in providing jobs for young people.

I have to say that these private sector jobs are at the top of the pile, Mr Speaker. They really are at just the end we want for a clean, green, clever city - that is, jobs in the information technology area, the high-tech area, but also jobs in tourism, retail and so on. So, is it not great, Mr Speaker, that after probably three of the toughest years that the ACT has seen - certainly in terms of Commonwealth Government downsizing - we have ended up with more jobs than we started with? We have, in fact, ended up with 3,300 more jobs than we started with. Mr Speaker, just to finish, the smart part about that is that the whole 3,300 are full-time jobs.

**MR STANHOPE:** Mr Speaker, I have a supplementary question. Will the Chief Minister table the documentation which discloses that there are 90,000 private sector jobs in the ACT?

**MS CARNELL:** Mr Speaker, I am happy to table the ABS statistics and all the other statistics. I think they are already available publicly; but we will certainly make sure - - -

**Mr Berry:** On a point of order, Mr Speaker: The supplementary question was fairly specific. It asked whether the Chief Minister would table the documentation that showed that there was that number of jobs in the private sector. The Chief Minister has only to answer yes or no.

**MR SPEAKER:** I do not think the Chief Minister has to answer yes or no. Did you indicate that you were happy to make that available, Chief Minister?

**MS CARNELL:** Mr Speaker, I am happy to make available statistics that relate to jobs in the ACT and where those jobs are.

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**MR SPEAKER:** Members, the *Canberra Times* would like to take some photographs. The *Canberra Times* was not covered in the agreement this morning for television and radio broadcasting. Is it the wish of the Assembly that the *Canberra Times* be given leave to take photographs?

Leave granted.

### **Crime Prevention Committee - Appointment**

**MR HIRD:** Mr Speaker, my question is to the Minister for Justice and Community Safety, Mr Humphries. Minister, can you explain why a representative of the insurance company known as AAMI was appointed to the ACT Crime Prevention Committee? Was this appointment made because AAMI had donated funds to the Liberal Party, as claimed by the new Leader of the Opposition, Mr Stanhope, in a media release issued, I believe, in February this year?

**MR HUMPHRIES:** I thank Mr Hird for the question. I hope that Mr Stanhope does not go too far away, because I have to mention him in this answer. I can answer the second part of Mr Hird's question by saying simply no. But the fact that that allegation had been raised at all in the context of the recent ACT campaign indicated, I think, the increasing desperation of the Labor Party which at that stage asked that question or posed that allegation. As I look at the Opposition benches today, I am reminded of some of the outrageous and downright dangerous methods that the Australian Labor Party used during the recent campaign in order to, it thought, secure votes, methods which Mr Stanhope has today - I think, to Mr Berry's horror - apologised for.

Whether the methods relied on allegations about AAMI's membership of the Crime Prevention Committee, the Totalcare incinerator spewing out noxious fumes into the atmosphere or the poisonous state of the water supply going to the residents of Tharwa, it seems that no fact or truth was going to stand in the way of Labor's quest for government. Mr Stanhope's allegations about AAMI, Mr Speaker, I can report, contain no element of truth whatsoever. Mr Stanhope said - and I quote from his press release - - -

**Ms Carnell:** It is very negative, is it not?

**MR HUMPHRIES:** It is a bit, slightly. The press release said:

Mr Stanhope said that he hoped the ACT Government's decision to exclude NRMA from involvement in its crime prevention initiatives in the ACT would not lead to a decision by the NRMA to cease its long involvement in community safety and crime prevention issues in Canberra.

AAMI has a history of donations to the Liberal Party in Australia.

Mr Speaker, the Government decided to appoint an AAMI representative because of NRMA's decision to withdraw as local sponsor of Neighbourhood Watch. In the meantime, AAMI has become the insurance industry sponsor of the highly successful Crime Stoppers campaign in the ACT. I would have thought that was a fairly good basis for including AAMI in crime prevention activities in the ACT. Incidentally, since Crime Stoppers commenced in December of 1996, with AAMI's sponsorship, information provided has led to the arrest of 163 alleged offenders and the laying of 430 criminal charges. Illegal drugs, with a street value of \$9.2m, have been seized, and a further \$133,000 in cash and \$34,000 worth of stolen property have been recovered - in part, through that sponsorship by AAMI.

So, Mr Speaker, let us get it clear. Mr Stanhope was wrong. He said that he did not want NRMA to withdraw from community activities in crime prevention. They, in fact, had already withdrawn from a local community safety and crime prevention scheme, namely, Neighbourhood Watch. I met with the State manager of the NRMA on 17 December to explain the Government's decision, and I said that I looked forward to NRMA's commitment to local crime prevention initiatives being restored. Indeed, the manager was very keen for NRMA to be involved on an ongoing basis with the ACT in a number of ways. It was quite appropriate that AAMI be appointed to the Crime Prevention Committee.

I can also advise, Mr Speaker, that AAMI has not made a donation to the ACT Liberal Party. It has made donations to the Federal Liberal Party; but they have been matched by donations to the Federal Labor Party - a fact which Mr Stanhope chose to ignore. So we could, equally, claim that AAMI was biased towards the Labor Party, could we not, on that basis, Mr Stanhope?

My office was told today by AAMI's public relations company, IPR Shandwick, that after Mr Stanhope's allegations were made during the campaign they contacted the then Leader of the Opposition, Mr Berry, and informed him of their concerns that Mr Stanhope had made those allegations. Mr Speaker, I am told by IPR Shandwick that Mr Berry apologised for Mr Stanhope's allegations and said, "I do not know anything about it". He was, apparently, embarrassed by the allegations. While today is the day when Mr Stanhope apologises to the people of Canberra for Mr Berry, it appears that it has already been the case that Mr Berry has had to apologise to AAMI for Mr Stanhope. This is a day for apologies all round, by the sound of it, Mr Speaker. Mr Speaker, I call on Mr Stanhope, the Leader of the Opposition, to apologise for his slur on a reputable insurance company.

### **ACTTAB - Operating Loss**

**MR QUINLAN:** Mr Speaker, my question is to the Chief Minister and Treasurer. The Chief Minister, as Treasurer, has stated publicly that ACTTAB will make an operating loss in this financial year. Can the Chief Minister inform the Assembly what ACTTAB's operating result would be if generally accepted accounting principles were applied correctly? In other words, what is the true picture?

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**MS CARNELL:** Mr Speaker, I have to say that I am concerned at this question. I am concerned at the question for a number of reasons. I will go on to answer it; but the basis of this question comes from a private briefing that I gave those opposite - - -

**Mr Quinlan:** From a Prime Television interview.

**MS CARNELL:** From a private briefing. Those opposite know perfectly well where it came from, Mr Speaker. This is not about the operating loss; this is about how it actually comes about, and I will explain that very definitely. Mr Speaker, I started in this Assembly with the view, which we have taken all the way through, that it is always appropriate to make sure that information is available to all members of the Assembly, even if that information is confidential, in an attempt - - -

**Mr Quinlan:** On a point of order, Mr Speaker - - -

**MS CARNELL:** It is a true statement, and I would be embarrassed too.

**Mr Quinlan:** Mr Speaker, I am referring to a statement made publicly on Prime Television by the Chief Minister, and I would like her to answer the question.

**MS CARNELL:** There is no point of order, Mr Speaker; but it does show that confidential briefings are a tiny, weeny bit difficult to give to those opposite.

**Mr Corbell:** On a point of order, Mr Speaker: The Chief Minister is making an accusation against Mr Quinlan which is entirely untrue. Mr Quinlan's question is based entirely upon a television interview that Mrs Carnell gave last week. It is in no way relevant to the point she is making now.

**MR SPEAKER:** There is no way that the Chair can judge this. Mr Quinlan has indicated that it came from a Prime Television interview; however - - -

**Mr Quinlan:** That is true.

**MR SPEAKER:** I am a little concerned as to how you can necessarily answer the question, Chief Minister - - -

**MS CARNELL:** I am very happy to answer the question, Mr Speaker.

**MR SPEAKER:** Because I hope that it is not an expression of opinion.

**MS CARNELL:** No. Mr Speaker, I can certainly explain the operating loss for ACTTAB. There is no doubt about that, Mr Speaker. I will just be interested to hear what the supplementary question is.

Mr Speaker, as we know, ACTTAB is operating in a very difficult market. There is no doubt about that. There are almost daily changes that present themselves - shall we say, new threats, new opportunities - for the future of organisations such as our TAB Australia-wide. Mr Speaker, with regard to the actual financial position of ACTTAB, ACTTAB is projecting an operating loss of approximately \$1.5m this year.

Mr Speaker, this represents a \$3.2m deterioration from its result in 1996-97. Mr Speaker, revenue has increased slightly - and I have to say "very slightly" - since 1996-97. However, expenses have increased by \$4.2m. This includes an additional licence fee paid by ACTTAB to the Territory of, I think, \$1.598m.

**Mr Quinlan:** So, the figures are loaded?

**MS CARNELL:** We can explain all of this, Mr Speaker. That is to meet ACTTAB's minimum financial obligation to the Territory, Mr Speaker. Mr Speaker, this also includes an increased contribution to the local racing industry of \$0.3m. So, there you go, Mr Speaker. I suppose that I should say, just to make sure that everyone understands, that turnover from last year to this year is up marginally; but it really is at about the same level.

Mr Speaker, the TAB entered into an arrangement with the ACT Government, I think just over 12 months ago, whereby it undertook to pay a minimum licence fee to the ACT Government, based upon particular business conditions. I think those opposite are suggesting that a minimum licence fee is not a normal approach. I have to tell you, Mr Speaker, that it would not matter whether ACTTAB was public or private; anybody running a TAB operation in the ACT would pay a licence fee.

The reason why the approach with ACTTAB changed over the last 12 months to a minimum licence fee approach was that ACTTAB approached us, asking for this agreement. Why did they want it? Mr Speaker, they wanted it because the \$3m debt that Mr Berry and VITAB shovelled onto them was crippling the organisation. They came to us and said, "We cannot afford to maintain this debt. We cannot afford to pay for it, Chief Minister. We have an option that we believe we can operate with, by which we can manage to maintain ACTTAB as a viable entity, by going down this path of a minimum licence fee".

It was their idea, not ours. And why was it their idea, Mr Speaker? There were two reasons. One reason, quite simply, was that Mr Berry had stuffed up their financial position. By the way, then, when we did take the \$3m debt back from ACTTAB in return for their entering into an arrangement for a minimum licence fee, Mr Berry, in this place and everywhere else, criticised the Government for doing it, Mr Speaker. I can remember Mr Berry talking about taking back the debts of ACT commercially operating enterprises. Well, we did it to keep the TAB afloat, and we did it as part of an approach that the TAB put to us for a minimum licence fee. Mr Speaker, it was an absolutely commercial deal.

Mr Quinlan asked about normal accounting - and I hope that he meant accounting - and business principles. That is exactly what this is - to try to keep afloat the TAB that Mr Berry came very close to destroying.

**Mr Berry:** That is a lie.

**MS CARNELL:** Mr Speaker, it is actually an absolutely true statement. As we remember, Mr Berry then went on to criticise the Government for taking the \$3m debt back. Mr Speaker, there is a minimum licence fee that the TAB pays to the ACT Government. That is part of a normal commercial relationship - again, an approach

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put forward by the board of the TAB itself. There is also a Racecourse Development Fund contribution, Mr Speaker, that is based upon a regulation and legislation passed in this place. Obviously, Mr Speaker, there will be no dividend this year, because the TAB's own figures show that it will make an operating loss of approximately \$1.5m this year.

Mr Speaker, the operating loss is based upon accepted accounting principles. It is also based upon management forecasts that have been provided by the ACTTAB board itself. It is their projected loss, Mr Speaker, not the projected loss of the ACT Government. Mr Speaker, we have applied all accounting standards, as we do to all of our approaches to government, and as I am sure does ACTTAB.

**MR QUINLAN:** Mr Speaker, I want to ask a supplementary question. Somewhere in that meandering answer it is quite obvious that the figures have been loaded up and - - -

**MR SPEAKER:** No preamble.

**MR QUINLAN:** I will ask the Chief Minister - - -

**MR SPEAKER:** Order! No preamble to supplementary questions, Mr Quinlan.

**MR QUINLAN:** I am sorry, Mr Speaker. I will therefore ask the Chief Minister: Will she table details of those figures in this Assembly today?

**MS CARNELL:** Mr Speaker, I stand by the preamble that I gave in response to the initial question, about how it is obviously impossible to deal in any confidential way with those opposite. They are very well aware that I do have figures, because I have given them to them already in the confidential meeting that we had.

**Mr Corbell:** So, why do you not put it on the public record?

**MS CARNELL:** Yes; there you are. That is exactly it. Mr Corbell comes forward and says, "Why do you not put it on the public record?". I briefed them confidentially to make sure that they had all of the information they needed, and what do they do, Mr Speaker? They ask for information to be tabled.

**Mr Corbell:** On a point of order, Mr Speaker: At no stage during the questioning from the Labor Opposition has any mention been made of any meeting between members of the Opposition and the Chief Minister. We are asking her to justify comments she has made on the public record, and we want her to place the information before this Assembly so that everyone in Canberra can be aware of exactly what basis the Chief Minister has for her claim.

**MR SPEAKER:** The Chair is in no position to judge those claims.

**MS CARNELL:** Mr Speaker, I am happy to table the figures upon which I based at least some of the answers that I gave. But again, Mr Speaker, those opposite know that the figures exist only because I showed them to them confidentially.



### **ACTEW - Payment to Government**

**MR RUGENDYKE:** Mr Speaker, my question is to the Chief Minister. Chief Minister, I noted in last year's ACT budget that ACTEW was required to pay the Government coffers an extra \$100m dividend to help plug the Territory's black hole. To your knowledge, Chief Minister, has this amount been paid?

**MS CARNELL:** Mr Speaker, it either has been paid or is very close to being paid. I know that, at the last ACTEW board meeting, resolutions were entered into on how that payment would occur. So, certainly at the last board meeting it had not been paid; but they certainly have undertaken to pay it before the end of the financial year, which is when we need it by.

**MR RUGENDYKE:** I have a supplementary question, Mr Speaker. At the announcement of the payment of that dividend, the deputy head of ACTEW, Mr Paul Perkins, was adamant that the corporation would most likely have to borrow the whole \$100m. During Estimates Committee hearings last year, I believe that the then Minister responsible for ACTEW, Mr Kaine, said that ACTEW was well cashed up and would have no problem in paying this amount from its reserves. To your knowledge, Chief Minister, will ACTEW need to borrow to pay this dividend?

**MS CARNELL:** Mr Rugendyke, congratulations on your first question. ACTEW could pay this in a number of different ways. It is my understanding that ACTEW will probably mix it. There is some in reserves, and some will be borrowed in a commercial way. Mr Speaker, it is certainly true that ACTEW is very well cashed up. In fact, as we know from independent information, not recently given, ACTEW has the lowest debt-equity ratio of any electricity distributor in Australia. It is certainly well cashed up. As we also know, Mr Speaker, although there have been some losses of clientele in recent days because of the competitive market that currently is in place around Australia, ACTEW has had a very profitable, shall we say, first six months of the year. The Yallourn deal, that Ms Tucker was very negative about, of course, has meant that the price at which we buy electricity has floated down and the profitability is high.

Mr Speaker, I am advised that the \$100m has yet to be paid. It certainly will be paid by 30 June, the end of the financial year. There are a number of processes that have to be gone through, obviously, to achieve that. Mr Speaker, I think it is currently estimated that ACTEW has made the decision that it will borrow approximately \$70m and will use \$30m out of its reserves. Mr Speaker, with current interest rates and so on, you have to expect that ACTEW will make a decision based upon what is the best return.

### **ACTTAB - Review**

**MR CORBELL:** Mr Speaker, my question is to the Chief Minister. Will the Chief Minister clarify for the record whether any agency or department of the ACT Government or ACTTAB itself has formally or informally made any approach to or had any discussions with any party about buying ACTTAB?

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**MS CARNELL:** I can certainly say that I have not, as Chief Minister and as the responsible Minister.

**Mr Corbell:** What about your Government?

**MS CARNELL:** My Government? Not to my knowledge. Has anyone had discussions? Let us have a quick run over the target.

**Mr Humphries:** No.

**MS CARNELL:** This is my Government. I am just making sure that no-one here has.

**Mr Osborne:** Michael, who have you been talking to?

**MS CARNELL:** I do not think Mr Moore has been here long enough. On that basis, on a quick run over the target, no, we have not had discussions with anybody with regard to the sale of ACTTAB. As you know and as I announced last week, we have brought on board consultants, PKF Consulting Australia, who have been commissioned to undertake a detailed review of the future structure and operation of ACTTAB.

Mr Speaker, we know from the reaction of those opposite when they were in government - and it is no wonder they lost - that their general view of government was to do nothing, sit on their hands and hope that it would go away. Unfortunately, all that went away was government for those opposite - and it is not surprising, I have to say. Mr Speaker, with regard to ACTTAB now, as we know, their colleagues over the border are in the process of a float. It amuses me that again those opposite somehow think that a float is not a sale. We know that a float is a sale, Mr Speaker. Of course, if it is not a sale, then no-one is selling Telstra either.

Mr Speaker, the Labor Government in New South Wales is currently going down the path of a float. The Victorian Government has already sold its TAB, Mr Speaker. The Queensland Government has announced that it is going down the same path. The Northern Territory Government has announced that it is going down the same path. I understand that other announcements from other States are imminent, Mr Speaker. What we could do is what those opposite would do, and that is to do nothing, and end up with nothing. What nothing means is no jobs, no business, no nothing, Mr Speaker. I have to say that I think that is bad government. I think that, if we did that, all we would be doing would be throwing an asset - but, most importantly, a business that employs in the ACT - straight onto the scrap heap. As long as I am in this job, we will not do that.

**MR CORBELL:** I would like to ask a supplementary question, Mr Speaker. It sounds as though the Chief Minister has already made up her mind. How does the Chief Minister explain, then, in the light of her flippant response, the fact that an officer of her department, from the Office of Financial Management, has indicated to a member of this place that expressions of interest have been sought from Tabcorp and the New South Wales TAB?

**MS CARNELL:** Mr Speaker, I cannot mind-read what members or public servants may or may not have done; but I know that, if that has happened, it certainly has happened without my authority. I just know that that is not the case. We have not sought expressions of interest from anybody for the sale of ACTTAB. Why would we do that when we have just gone down the path of putting on consultants to give us a view of what the future structure and operations of the TAB will look like?

Mr Speaker, this is a very real issue. Those opposite do not seem to think so. Mr Speaker, as we know, TABs in other States have rolled significant, say, poker machines into their TAB operations. Mr Speaker, we have already gone down the path of bringing Club Keno into ours. We also know, Mr Speaker, that the straight, traditional TAB operations of TABs - meaning horseracing and, I suppose, trots and greyhounds - are not the areas from which the TABs that we are talking about are actually generating their profits.

Mr Speaker, we have more problems than just having an industry that is privatising quickly around Australia. We also have an industry that is changing significantly in its structure around Australia, whether it be in public or private ownership. Mr Speaker, I think these are important issues. They are certainly important to the people who are employed by our TAB here. They are important to the Government. The only people they are not important to are those opposite.

### **Building Industry - Training Levy**

**MR OSBORNE:** My question is to the Minister for Health. No, it is not. I just felt a bit sorry for him, Mr Speaker. No-one has asked him a question.

**Ms Carnell:** He has been Minister for only a couple of hours.

**Mr Moore:** Come on, come on!

**MR OSBORNE:** I know how nervous he is, Mr Speaker, sitting there, knowing what he has put Ministers through for the last nine years.

Mr Speaker, my question, which is to the Chief Minister, is on a serious note. It is regarding the use of the MBA training fund. I did warn Mrs Carnell that I was looking for some figures on this. Chief Minister, the legislation establishing the MBA training fund was introduced by your former Minister Mr De Domenico and passed by the last Assembly in November 1996. As you will recall, and for the information of new members, the \$1m fund was set up by taking \$300,000 from the building industry long service leave levy fund, with the rest coming from within the building industry, for the purpose of training and employing 150 apprentices. Just remember that figure of 150 apprentices. At the time, Chief Minister, I was persuaded to support the legislation, in no small part, by you and Mr De Domenico both continually assuring the Assembly that the 150 jobs would be provided straightaway. You said at the time that the Government would not sit on its hands over using the fund, but would ensure that the apprentice positions would be available "right now - not in 12 months' time, not when the

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negotiations on the training levy can finally come to fruition, but right now". If you will allow me a second, Mrs Carnell, I will quote from *Hansard*; but you did say exactly that. I will not go over it again; but that is basically the gist of what you said, Mrs Carnell. A year after the Bill was passed, the number of apprentices that had been employed was, in fact, 42. That was on 9 September. So, about 10 months after the money was taken and 150 jobs should have been available, there were only 42. By mid-February, earlier this year, 15 months after the fund had started, the number had risen to 67 - less than half of the number that you and Mr De Domenico promised would be available straightaway. My concern, Chief Minister, is that both I and, I believe, Mr Moore, and also Ms Tucker and the Greens at the time, were persuaded to support this legislation because of the guarantees. My question is this: Given that the MBA appears not to have met its obligations, will you find out where the promised jobs are and where the money is, and will you initiate steps to retrieve at least half of the money from the MBA?

**MS CARNELL:** Mr Speaker, I understand that on 30 March 1997 the Master Builders Association Training Group (ACT) Inc. signed an agreement with the then Department of Business, the Arts, Sport and Tourism in relation to the operation of the on-site skills centre. As Mr Osborne said, the agreement enabled \$300,000 to be allocated to the MBA from the Long Service Leave Board training levy - and that was the issue that Mr Osborne was talking about. The duration of the agreement was until 30 November 1997. The purpose of the agreement was to establish an on-site training centre, known as the skills centre, for the ACT building and construction industry. The skills centre provides training to new or currently unemployed apprentices and trainees. Mr Speaker, the target outlined in the agreement was to engage and/or commence training for about 80 pre-apprentices/pre-trainees and apprentices/trainees.

Mr Speaker, I am advised that on 2 April 1998 the MBA provided a final report, which was required by the agreement, which showed that 25 pre-apprenticeship training positions had been filled; 34 pre-vocational trainee positions had been filled; 10 pre-vocational construction worker positions focusing on wet trades had been filled; six mature age apprentice/trainee positions had been filled; and 11 out-of-trade apprentice positions had been filled. That is 86 positions. Mr Speaker, this means that the MBA more than met the training target set out in the agreement.

Mr Speaker, in addition, 28 apprentices who were not allocated to a particular employer during the building downturn were also trained at the centre. So, that is on top of what we have talked about, Mr Speaker. This figure is not part of the target groups listed above. While it was not part of the agreement, the MBA undertook to contribute additional funding of \$70,000 from the commencement of the program. The final report indicates that the MBA, in fact, contributed \$86,265.67 to the centre from its own resources, Mr Speaker.

I think it is important that the ACT seizes opportunities like these where we can get money from the private sector to help us with these situations. Mr Speaker, I believe that the skills centre, with the assistance of the Government, has been one mechanism, as we have seen, of keeping in work apprentices who may not have been able to stay in work during a downturn in the industry. So, it appears, certainly from the advice that I have been given today, Mr Speaker, that the MBA did meet the targets outlined in the agreement.

**MR OSBORNE:** I have a supplementary question. It is all very nice, Chief Minister, that the MBA met its agreement; but it certainly did not meet the guarantees that were given by you and Mr De Domenico, given that 86 is well short of 150. You talked about 70 jobs for young apprentices, placement of 50 extra apprentices and 25 at-risk apprentices and trainees. I am a little bit concerned, Chief Minister, that the numbers that you gave here in the Assembly were not the numbers that the MBA was bound by. So, could you clarify that situation, clarify what you said here and clarify whether or not it was what the MBA was required to do after you had given us those assurances?

**MS CARNELL:** Mr Speaker, this was at a time when I was not the Minister. So, I will certainly take that on board. But, Mr Speaker, again I come back to the fact that, for \$300,000 that was allocated from the Long Service Leave Board training levy, what actually happened was that 86 positions were achieved - positions that may not have been in place if it had not been for the dollars - and also 28 apprentices were kept on board that may not have been. I think that is the sort of thing that we need to ensure happens in the future, where the private sector and the Government work together. But I will certainly take on board Mr Osborne's comments and questions.

### **Government Car Fleet - Natural Gas Trial**

**MS TUCKER:** My question is to the Minister for Urban Services. It is in regard to the trial of natural gas vehicles in the ACT Government car fleet. The Government has been working with AGL to trial natural gas cars in the ACT fleet. As, no doubt, the Minister is aware, natural gas vehicles have significantly lower emissions of nitrogen, sulphur, carbon dioxide and carbon monoxide, as well as 20 per cent less greenhouse gas emissions than conventional vehicles. I understand that there are currently five vehicles in the trial. Given that AGL has agreed to purchase up to 20 government natural gas vehicles - so, a trial of this many vehicles would not cost the ACT Government any money - why is the ACT Government not taking up the offer of AGL of converting up to 20 cars in a trial of natural gas vehicles?

**MR SMYTH:** Mr Speaker, I thank the member for her question. I have to say that I am not fully across that issue as such; but what I can say is that this Government is certainly very interested in looking at different manners in which we use our vehicle fleet, to reduce greenhouse gases. In fact, I was in Sydney last week and saw a diesel-electric bus, which was very impressive in its application. That is something that perhaps we could consider long term for use here in the ACT. I will take your question on notice and I will get you an immediate answer.

**MS TUCKER:** Thank you. I do have a supplementary question or an additional request. I would also be very interested to see any documentation that you have on the results of the trials so far, including any cost savings and the methodology of the trials.

**MR SMYTH:** Certainly.

### **Sale of Public Assets**

**MR BERRY:** My question is to the Chief Minister, Mr Speaker. In evaluations carried out by the Government of the possible sale of public assets, what value will be placed on each dollar of salary and wages that might potentially be lost from the economy, and how is the flowthrough of such losses, or economic multiplier, factored into the Government's decision-making?

**MS CARNELL:** Mr Speaker, I have to say with regard to the two entities that are currently being looked at by the ACT Government - ACTEW and ACTTAB - that members will be aware that we are expecting, hopefully tomorrow or the next day, the Fay Richwhite report to be available and therefore tabled in this place, looking at options for ACTEW or the future for ACTEW in a deregulated market. Mr Speaker, I think it is really important to say - - -

**Mr Berry:** I did not really ask that question, Mr Speaker. I asked a question about economic multipliers and the value to be placed on each dollar of salary and wages that might be lost.

**MR SPEAKER:** There is no point of order.

**MS CARNELL:** Mr Speaker, what I am answering is exactly that question. Although Mr Berry did have to read it - because I am sure that he is not sure what he just asked - the thing that is most important here is to determine whether jobs will be lost as a result of doing nothing. That is a question that those opposite need to ask when they assess their policy on this. I wonder how, when they determined that they will oppose privatisation no matter what, they assessed what will happen to the jobs lost.

**Mr Berry:** Mr Speaker, that is not the question that I asked. I asked the Chief Minister whether there had been an assessment done in respect of the value to be placed on each dollar. In her rude response, she has failed dismally to answer that question. I would ask that you direct her to answer the question.

**MR SPEAKER:** Mr Berry, there is no point of order. I cannot direct people to answer the questions in the way that you people might like them to be answered. The Chief Minister is answering the question.

**MS CARNELL:** Mr Speaker, I was just trying to say where we are up to in the areas of both ACTEW and ACTTAB. With ACTTAB, we currently have consultants - PKF Consulting Australia - being commissioned to undertake a detailed review - - -

**Mr Berry:** Mr Speaker, I am fully aware of that. Mr Speaker, this is a point of order raised pursuant to standing order 118. I know that there were certain standards set in the last Assembly, Mr Speaker; but what I would ask you to do is to have the Chief Minister be concise and confine her answer to the subject matter of the question. The question goes to the issue of how much value will be placed on each dollar of salary and wages that might potentially be lost; whether that has been surveyed by the Government; and how the flowthrough of such losses, or economic multiplier, is factored into the Government's decision-making. If they have done nothing, then she should tell us that.

**Mr Humphries:** Mr Speaker, on the point of order: Mr Berry's question was clearly about the processes to be used in assessing the future of those organisations. The Chief Minister's answer touches on the processes to be used. He has asked about a specific aspect of that. The Chief Minister is entitled to describe the process in order to answer the question. The question is being answered entirely appropriately.

**MR SPEAKER:** I repeat my earlier comments. I am not in a position to direct any person answering a question to answer it in the way that the person asking the question might care them to.

**MS CARNELL:** Mr Speaker, maybe it would be clearer if I said to Mr Berry in very easy, one-syllable words, "We have not done any assessments for sale". What I was trying to explain, because I know that it is very hard for him to understand, was where we are up to in this process at the moment. With ACTTAB, we are doing a detailed review of the future structure and operations of ACTTAB to assess what we need to do to make sure that ACTTAB has a future. By the way, with ACTTAB that includes, as one of the options, potential sale. With regard to ACTEW, Mr Speaker, we are in a situation now of not even going to a scoping study yet. We have Fay Richwhite looking at what the future options are or where ACTEW is heading in the current market. Mr Speaker, that is not a scoping study for sale. Mr Berry does not understand that; but it is not. That does not mean - - -

**Mr Berry:** No. On a point of order, Mr Speaker - - -

**MR SPEAKER:** Order! Mr Berry, the Chief Minister is answering the question.

**Mr Berry:** No; she is berating me, Mr Speaker. And what I would ask you to do is direct her - - -

**MR SPEAKER:** I will be berating you shortly, too, actually.

**MS CARNELL:** Mr Speaker, I have answered the question.

**MR BERRY:** I have a supplementary question, Mr Speaker. Noting that the Chief Minister has not answered the question, I ask: Will she make available to this Assembly any evaluations which were conducted in relation to those dollars potentially lost from the economy, before taking any final decisions on whether or not to sell public assets? If there is no such evaluation being undertaken at this point, will she direct that it be undertaken?

**MS CARNELL:** Mr Speaker, he still did not understand. You cannot have that information if you actually have not gone to scope for sale. How often do I have to explain that?

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**Mr Berry:** No. It is not about scope. You just do not understand. I just cannot believe that you do not understand what I am talking about.

**MS CARNELL:** Mr Speaker, tell him to sit down, would you? With regard to jobs, one thing you can be confident of is that, if a Territory-owned company goes broke, it will not have anybody working for it.

### **Racecourse Development Fund**

**MR WOOD:** Mr Speaker, my question is to the Chief Minister also. Chief Minister, in January you were reported as stating that “up to 70 full-time jobs” would be created by increasing the proportion of ACTTAB turnover provided to the Racecourse Development Fund. Have the jobs eventuated? That is the simple question. To take it further, what processes exist for an evaluation of return on investments of that nature, such as forgoing an amount of \$600,000 in budget revenue in this case?

**MS CARNELL:** Mr Speaker, I am more than happy to make available to all members of the Assembly the submission that was put forward by the Racing Club to the ACT Government with regard to the increase in the Racecourse Development Fund, where they outlined the areas in which they believed they could increase jobs. Obviously, that would happen over time. I have to say, Mr Speaker, that it is a tiny bit tough to expect the Racing Club over, I think, a couple of months to actually go from start to finish on these things. But I am very happy to make their submission - - -

**Mr Quinlan:** Did they say 70?

**MS CARNELL:** I think they actually said more than that. But, again, I am very happy to make available the submission that they put forward. I have to say that I was surprised at the number of jobs that the racing industry provides in the ACT now and the potential for expansion, they believe, for the racing industry in the future. I think it is really important, too, to realise, with regard to the Racecourse Development Fund, that the level of return to the racing industry from our TAB in percentage terms is one of the lowest in Australia. That was the basis on which the Racing Club put forward that submission.

It is also interesting to note, as I think I heard the other night on television, that the racing industry makes the point that, on the sale of the Victorian TAB and the potential sale of the New South Wales TAB, the actual return to the racing clubs increased in Victoria and is due to increase in New South Wales. Is it not interesting that a sale would actually improve the amount of money going to the racing clubs?

**MR WOOD:** I have a supplementary question, Mr Speaker. Yes, I know that it is a big and important industry, and thank you for the documentation. I will accept that. But the main thing I want to ask is: How do you know; or how, in the future, will you know, if it is going to take a little time? What follow-up do bureaucrats have to check that what is promised in that documentation is delivered?



**MS CARNELL:** Mr Speaker, it depends on what you are talking about. This is not, say, a business incentive fund deal, which, of course, would have regular reporting. The industry put forward a submission to the ACT Government which we believed - which I believed, I have to say - was very much in line with the sorts of projections that I believe the club will achieve. They have already put in place a number of the approaches, or the sorts of things they are going to do, to actually increase the turnover.

As I understand it, they are planning to increase the prize money for races in Canberra, which they believe, and I am sure, over time will attract more horses and better horses to actually race in the ACT. They are looking at encouraging trainers who have moved over the border to come back to Canberra and other trainers to move into the ACT, to actually employ here. Mr Speaker, on the basis of the submission, I would be very interested to see whether those opposite believe that the Racing Club is fibbing, not telling the truth or exaggerating.

Again, Mr Speaker, in this particular case, the Government will make decisions on what it believes is the appropriate approach. I must say that, apart from it being a good submission, one of the compelling issues, from my perspective, was the amount that other racing clubs around Australia were getting in percentage terms from their particular racecourse development funds. I think it is important for the ACT to be, shall we say, in the market.

**Mr Corbell:** On a point of order, Mr Speaker - again, on the issue of relevance and conciseness: Mr Wood asked a question about the mechanisms the Government had in place. The Chief Minister has completed her answer to Mr Wood's supplementary question, and not a single sentence in that answer dealt with the subject matter of Mr Wood's question. When are you, Mr Speaker, going to rule that the Minister, and Ministers generally, must answer questions in accordance with the rule in relation to relevance and conciseness?

**MR SPEAKER:** All I can be guided by is the standing orders. Standing order 118 states:

- (a) shall be concise and confined to the subject matter of the question ...

It is not always possible for the Chair to accept that the response that is coming through is necessarily irrelevant. We are dealing with quite complicated questions at times, and they do not lend themselves to simple yes/no answers.

**Mr Corbell:** But we were not asking for one.

**MS CARNELL:** Mr Speaker, I thought I made it very clear that, yes, the Government made a decision based upon the information that was before it, and governments live or die by those decisions every day.

### **Ecowise - Proposed Staff Buyout**

**MR HARGREAVES:** Mr Speaker, I was tempted to ask a question of Mr Moore in his new capacity and of Mr Smyth in his new capacity; but, in the interests of non-adversarial politics, I will pay credit to the brevity of the experience of both of them and direct my question to the Chief Minister. The question is: What discussions has the Chief Minister or her staff had with ACTEW management over the proposed privatisation of Ecowise - surprise, surprise; it is not ACTTAB - including proposals for a staff buyout?

**MS CARNELL:** Mr Speaker, with regard to the possible staff buyout of Ecowise, the discussions that have been had with me - and, I assume, with my staff, as well - were when the executive director of ACTEW and the chairman of the board told me that they were going to do it.

**MR HARGREAVES:** I have a supplementary question, Mr Speaker. Given that there have been discussions between the exalted leadership of that department and the Chief Minister, the question I ask is: What criteria is the Government proposing as the basis for an acceptable staff buyout? For example, what is the minimum number of staff that have to express an interest in a buyout for it to be acceptable to the Government?

**MS CARNELL:** Mr Speaker, ACTEW is a corporatised entity. It has a board. The board makes decisions on the actual organising and operations of ACTEW. Mr Speaker, as I said, the chairman of the board and the chief executive of ACTEW did inform me that they planned to go down this path - obviously, asking whether I had any particular problem with this. On that basis, Mr Speaker, I have to say that I believe that, if you have a board and you have a chief executive of a very large company, basically, you let them run the show. My understanding, Mr Speaker, from discussions that I have had with them is that, if the employees are unhappy or do not want to go down that path, then the deal is off, basically. If they would like to do it, that is fine.

Mr Speaker, the other thing that I was interested in in regard to Ecowise and that I assume other members were interested in too is what Ecowise actually does. I assumed that members would be quite interested in that; but nobody seems to have asked that question. Mr Speaker, as I understand it, Ecowise is a small subsidiary of ACTEW that actually competes directly with the private sector for small electrical jobs. It is quite that simple. Mr Speaker, I understand that the view of the board and ACTEW management was that this was a good opportunity for employees - if that was what they wanted to do - to be part of the growth of that small entity. It is not involved in the core business of ACTEW, but is involved in providing small electrical jobs - predominantly in the area of fixing stoves, as I understand it - in direct competition with the private sector. I find it very difficult to understand why those opposite would not think that the board of ACTEW, with all of the corporate responsibility that goes with that board, and the senior management of ACTEW should actually run this process.

### Car Registration Plates

**MR KAINE:** Mr Speaker, through you, I ask a question of the Minister for Urban Services. Minister, when the new series numberplates became available recently there seemed to be a bit of confusion. People fronting up were told that they had to have a plate with the slogan on it, while you were publicly saying that the public had a choice. By what means have you since made known generally to members of the public that they do have a choice when registering their cars - that they may have either a plate bearing the slogan or a plate without it?

**MR SMYTH:** Mr Speaker, I thank the member for his question. I have to say that to follow Trevor Kaine will be a hard act. I acknowledge his efforts in the urban services portfolio. As to the plates, as most people would well know, we now have for the first time an option on plates. We have choice on numberplates in the ACT. You can have a numberplate without a slogan or, if you so choose, you can have a plate with a slogan. That is up to the public to ask for when they go to the motor registries. For the interest of all here, I am told that at the moment about 70 per cent of people are actually taking up the "Feel the Power" plates. I am impressed and pleased that the majority of Canberrans are quite willing to get out there and sell that message. I assume that the staff will continue to offer people the option as they front up at the counter.

**MR KAINE:** I have a supplementary question. The Minister is learning fast, Mr Speaker, because he did not answer my question. What I asked was: By what means had he generally informed the public that the choice was available? He did not answer that question; but he did anticipate, in a sense, my supplementary question, because it seems that, as a matter of practice, people are not given a choice when they turn up. If they do not specifically ask, they are given, presumably, the ones with the slogan, whether they want them or not. If they do not know that they have a choice, how can they exercise that choice? As a supplementary part of that one, just how many plates without the slogan on them are available?

**MR SMYTH:** Mr Speaker, the new combination of plates, which also include the last number becoming a letter from the alphabet, has given us something like 48 years' worth of plates. We do not print up that number of plates immediately. What we have on hand is stock both with the slogan and without the slogan.

**Mr Berry:** He still has not answered your question.

**MR SMYTH:** It is all right, Wayne. We will get to the answer. You just have to wait patiently, squire.

**Mr Berry:** Waiting, waiting, waiting, waiting.

**MR SPEAKER:** Order! Settle down, Mr Berry.

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**MR SMYTH:** At this stage, there is no intention to have a public promotion of the choice. I do not see that there is a need for such a thing. I think the public is aware, after the debate that we have had over the last two weeks, that there are two sets of plates, and the public, should they wish, can ask for either the plate with the slogan, "Feel the Power of Canberra", or the plate without the slogan.

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

### **Government Car Fleet - Natural Gas Trial**

**MR SMYTH:** Kerrie Tucker asked earlier in question time about the ACT Government and its fleet of natural gas cars. That fleet is actually managed by Totalcare, which is not under my responsibility; but I am quite happy to contact them for you and get hold of the information that you sought.

### **ACTTAB - Review**

**MS CARNELL:** Mr Speaker, in further clarification of an answer I gave in question time, no expressions of interest have been sought for the sale of ACTTAB. That is what I said. That categorically is the case, as I am advised.

### **PERSONAL EXPLANATION**

**MR BERRY:** Mr Speaker, I seek leave to make a personal statement pursuant to standing order 46.

**MR SPEAKER:** Proceed.

**MR BERRY:** Thank you, Mr Speaker. During question time Mrs Carnell continued with the campaign of misinformation in relation to the ACTTAB-VITAB affair. If the truth were to be recorded in this place these words would have come from Mrs Carnell's lips: The initial inquiry in relation to the ACTTAB-VITAB affair was called for by her and in fact occurred. I was cleared by that inquiry and subsequently I resigned from the ministry. In due course the current chair - - -

**Mr Humphries:** Mr Speaker, I rise on a point of order. We have all heard the very sorry and sad history of VITAB many times. This does not relate to answering a question.

**Mr Moore:** And the rewrites.

**Mr Humphries:** And the rewrites, yes; the revised versions of history; the new gospel according to St Wayne. Mr Speaker, this is not relevant to the matter that Mrs Carnell made comments about on the floor of the Assembly. This is continuing debate in breach of the standing orders.

**MR BERRY:** There is no point of order. I have leave.

**MR SPEAKER:** Order! I will not uphold the point of order at the moment. I have not heard the full explanation.

**MR BERRY:** Indeed, you have not, Mr Speaker. Certain claims were made about me in question time by the Chief Minister, which you may have heard. If you did not hear them, I suggest that you look at the transcript. Let me proceed, Mr Speaker. Subsequently the then board resigned and the chief executive officer was dismissed.

**Mr Humphries:** Mr Speaker, Mr Berry needs to clarify what allegation about him is untrue, so that he can clarify it.

**MR SPEAKER:** I will have to look at the *Hansard*.

**Mr Humphries:** He is using the standing order to ramble through the usual diatribe about VITAB in a desperate attempt to rewrite history.

**MR SPEAKER:** Order! I will have to look at the *Hansard* in relation to this, but in the meantime - - -

**MR BERRY:** I will stick to the facts as they occurred, Mr Speaker.

**MR SPEAKER:** You are making a personal explanation.

**MR BERRY:** Indeed, and it is in relation to me and in relation to certain things that the Chief Minister said during question time. Subsequent to that, the then new chair of the TAB negotiated a \$3m settlement.

**Mr Humphries:** Mr Speaker, I have to press my point of order. We do not know what the allegation is that Mr Berry says Mrs Carnell made of him falsely. We need to know that so that we can see how relevant is the answer he is giving to that particular matter. He has the right to make a personal explanation in respect of a matter on which he has been misrepresented. On what has he been misrepresented?

**MR SPEAKER:** I uphold Mr Humphries's point of order to this extent: We are now talking about some other chairman of the TAB. The personal explanation relates to you personally, Mr Berry, not other chairmen of the TAB. Would you please complete your personal explanation.

**MR BERRY:** Certain claims were made about me, Mr Speaker, which I am entitled to refute. The Chief Minister made certain untrue claims about me which I will refute and will continue to refute. The then chair of ACTTAB - - -

**Ms Carnell:** Mr Speaker, you cannot have a personal explanation and not say which claims.

**MR SPEAKER:** Yes, that is true.

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**MR BERRY:** Yes, I can. I have leave.

**Mr Corbell:** I raise a point of order, Mr Speaker. Mr Berry has been granted leave by the Assembly to make a personal explanation. If the members opposite - - -

**MR SPEAKER:** No, he has not. I have given Mr Berry leave, the Chair's leave, under standing order 46; but unless Mr Berry explains matters of a personal nature I will have to sit him down, and I will do so.

**MR BERRY:** Mr Speaker, the Chief Minister made certain claims, untrue claims, about my involvement in the ACTTAB - - -

**MR SPEAKER:** Very well. I will examine the *Hansard* and report tomorrow.

### **STUDY TRIPS Papers**

**MR SPEAKER:** I present, for the information of members, two reports of study trips undertaken by Mr Hird, MLA, to Sydney between 17 and 19 December 1997 and on 16 and 17 April 1998, and a report of a study trip undertaken by Mr Wood, MLA, to Sydney on 15 April 1998.

### **LEGISLATION PROGRAM - AUTUMN 1998 SITTINGS Paper and Ministerial Statement**

**MS CARNELL** (Chief Minister and Treasurer): Mr Speaker, for the information of members, I present the legislation program for the autumn 1998 sittings, and I ask for leave to make a statement.

Leave granted.

**MS CARNELL:** Mr Speaker, I am pleased to present the Government's legislation program for the autumn 1998 session. As we commence the first sittings of the Fourth Assembly and the second term of the Carnell Government, I am pleased to present a program of legislation which will continue to build on the legislative achievements of this Government. This legislation program will continue the Government's drive for administrative reform, responsible management of the Territory and response to community concerns. In addition, this Government will continue to play its part in national legislative reform.

The core of the Government's legislation program lies in financial and business legislation. The Appropriation Bill is, of course, of central importance to the Government's legislative and administrative agenda. In addition, ACT statutes will be amended to reflect and keep pace with other jurisdictions in matters such as taxation, stamp duties and competition

within the gas market. This will include meeting our obligations under the national competition policy signed by Rosemary Follett. The considerable efforts by the ACT and all other participating jurisdictions to improve the administration of stamp duty and all revenue laws will culminate in the introduction of legislation which will make it easier for everyone who conducts business in the Territory to meet their taxation obligations.

The Government proposes to introduce legislation to regulate interactive gaming. Interactive gaming is already occurring in an unregulated manner throughout the world, through the Internet or other such forms of interactive gaming. Legislation will provide a means to protect ACT consumers participating in interactive gaming. They will be able to do so confidently and in a secure regulatory environment. Several taxation Bills will be introduced to address a number of housekeeping and administrative matters and enhance the operation of those tax laws. For instance, legislation will be introduced to support administrative arrangements between the Commonwealth and ACT governments following the High Court decision of 1997 regarding business franchise fees. Legislation will also be introduced to provide administrative structures suited to the ACT Government environment in matters ranging from government employment to building approval.

An amended framework for public sector grievance, appeal and disciplinary measures will be established in a major legislative initiative. When the ACT Public Service separated from the Commonwealth in 1994 the ACT retained Commonwealth appeal and grievance structures. It is appropriate that the ACT adopt a system of grievance resolution that is adapted to the structure of our government, especially as the Commonwealth is now reviewing its own process.

A major reform of the building industry will be realised with the introduction of legislation to provide for self-certification or private certification of plans and inspection. This will free up the building industry, away from government approvals and inspections, while providing appropriate regulation to private certifiers.

A number of Bills will continue the Government's efforts to enhance the integrity and improve the response of the criminal justice system to meet the ACT community's expectations. The integrity of the system will be enhanced by a package of Bills to implement a scheme to recover outstanding court-imposed fines. These measures will ensure that those who can pay will pay. It is important that those who have been found guilty of an offence and fined by a court are made to comply with the penalty imposed by the court, namely, payment of the fine. The community is entitled to expect that fines will be recovered when defaulters have the capacity to pay. The response of the criminal justice system to those who are victims of domestic violence will also be improved through amendments to the Domestic Violence Act implementing a number of reforms recommended by the Community Law Reform Committee.

The Government's commitment to ensuring the health, wellbeing and quality of life of our community will also be further enhanced. The Health Promotion Act 1995 will be amended to vary the formula for the provision of funding to the Health Promotion Board. This will allow the board to continue its successful role of undertaking health promotion programs, addressing priority health issues and conducting health lifestyle projects.

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In line with an agreement reached by the National Drug Strategy Committee Self-Administration Working Group, amendments to the Drugs of Dependence Act 1989 will also be introduced to repeal the offence of self-administration of a prohibited substance. This will erase the fears among injecting drug users that they will be charged with a criminal offence, leading to unsafe injecting practices and a reluctance to call for assistance during heroin overdoses. We will also be introducing amendments to the Motor Traffic Act to improve safety on our roads, especially the safety of our younger drivers and motorcycle riders.

Mr Speaker, the Government's legislation program is smaller than in previous sessions because it is intended to be achievable within the short autumn sittings. The legislation listed will be introduced during the autumn sittings. I am sure all members would agree that good planning and open communication can greatly assist members in preparing for debate in this place. Indeed, the Review of the Governance of the Australian Capital Territory has recommended, at recommendation 16, that:

In order to facilitate orderly business, and in order to allow for good financial management of the Assembly, non-Executive members should normally be expected, as the Executive is expected, to give notice of the bills that they plan to bring forward in each quarter.

Mr Speaker, this is a very reasonable proposition, considering the resources required to adequately develop and debate legislation. The Government has set out its legislative plan for the forthcoming Assembly sittings. I look forward to the day when the Opposition and Independent members also contribute to the effective and efficient use of the resources of the Territory and the time of this Assembly by disclosing their legislative plans at the commencement of the sittings. Obviously, by taking on board this recommendation of the Pettit inquiry, it would be significantly easier for the legislative drafting people to plan their time. If this recommendation is taken up it will ensure that some of the frustrations I know that members of this place have in getting their Bills drafted on time will be alleviated. Mr Speaker, I commend the paper to the Assembly.

**MR BERRY**, by leave: Mr Speaker, I have a few comments to make about the legislative program. This is a process that has been in place in this Assembly for some time and it is welcome. I heard the words of the Chief Minister when she spoke of the Pettit report and the recommendation in relation to getting before this place legislative programs from private members and crossbenchers, the Labor Party and so on, and she said she looks forward to the day. That is an interesting prospect. I just wonder how the committee inquiring into this matter might deal with it. They might well say that the Opposition and the crossbenchers should have the same sort of bureaucratic resources available to them on a pro rata basis that would enable them to prepare these sorts of programs and stick to them. That strikes me as an interesting thing that has not yet been thought through. I will not try to pre-empt the Pettit inquiry report in relation to this matter; but it is a curious position for the Chief Minister to take, given the paucity of resources that are available, even to the well-funded crossbench members. They would not be able to deliver on this sort of recommendation.



One other matter, Mr Speaker, that I find most interesting in this legislative program is that this is a decision that was, I suspect, taken by Cabinet in confidence, either yesterday or at some time previously, and it does, in fact, mention the Minister for Health and Community Care and his legislative program. This is a quite clumsy piece of work because the Government has been able to put forward a program for the Minister for Health and Community Care which the Minister for Health and Community Care has not had any say in. Probably he has not even been consulted as he was appointed only today, according to his letter. So some quite curious management issues seem to be turning up here in the way that the Government develops its legislative program, and how it consults not only with the community but also with its own members.

I would urge Mr Moore to take a quick look at this. He may wish to vary this. It may be one of those matters where he might have to go back to Cabinet and consult. It is just a matter of presentation. The Government is able to present a legislative program for a Minister who was not consulted and was not involved in the process.

**Mr Humphries:** How do you know?

**MR BERRY:** The facts are on the table. He was appointed only today.

## **SUBORDINATE LEGISLATION**

### **Papers**

**MR HUMPHRIES** (Attorney-General, Minister for Justice and Community Safety and Minister Assisting the Treasurer): Mr Speaker, for the information of members, I present, pursuant to section 6 of the Subordinate Laws Act 1989, subordinate legislation in accordance with the schedule of gazettal notices circulated.

*The schedule read as follows:*

Legislative Assembly (Members' Staff) Act -

Determination pursuant to subsection 11(2) which provides for the continued use of the form of contract of employment in use prior to 1 July 1997 in some cases (8 March 1998) - No. 65 of 1998 (S93, dated 13 March 1998).

Determination pursuant to subsection 6(2) which provides for the continued use of the form of contract of employment in use prior to 1 July 1997 in some cases (8 March 1998) - No. 66 of 1998 (S93, dated 13 March 1998).

Arrangements pursuant to subsection 10(2) which provides staff salary allocation to members to employ staff up to polling day and an interim allocation from the declaration of the poll (8 March 1998) - No. 67 of 1998 (S93, dated 13 March 1998).

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Arrangements pursuant to subsection 10(2) which provides for the employment of staff of Members (2 April 1998) - No. 72 of 1998 - (S105, dated 9 April 1998).

Arrangements pursuant to subsection 5(2) which provides for the employment of staff of the Speaker (2 April 1998) - No. 73 of 1998 - (S105, dated 9 April 1998).

Determination pursuant to subsection 11(2) which provides for extended access to severance benefits to staff re-employed for short periods by an incoming Member - No. 74 of 1998 (S106, dated 9 April 1998).

Determination pursuant to subsection 6(2) which provides for extended access to severance benefits to staff re-employed for short periods by an incoming Member - No. 75 of 1998 (S106, dated 9 April 1998).

Motor Traffic Act -

Motor Traffic Regulations - Declaration of declared holiday period - No. 71 of 1998 (S103, dated 9 April 1998).

Motor Traffic Regulations (Amendment) - No. 9 of 1998 (S107, dated 16 April 1998).

Public Place Names Act -

Revocation of Instrument No. 98 (S124, dated 1 November 1991) and determination of street nomenclature in the Division of Greenway - No. 68 of 1998 (S97, dated 20 March 1998).

Amendment of Instrument No. 4 (S12, dated 21 January 1994) by omitting four street names in the Division of Amaroo. Determination of street nomenclature in the Division of Amaroo - No. 69 of 1998 (S102, dated 8 April 1998).

Determination of street nomenclature in the Division of McKellar - No. 70 of 1998 (S102, dated 8 April 1998).

## **REMUNERATION TRIBUNAL Determinations**

**MR HUMPHRIES** (Attorney-General, Minister for Justice and Community Safety and Minister Assisting the Treasurer): Mr Speaker, I also present Determinations Nos 28 and 29, including statements, pursuant to section 12 of the Remuneration Tribunal Act 1995, relating to part-time holders of public offices and members of the Legislative Assembly.

**WORK FORCE STATISTICAL REPORTS -  
FIRST AND SECOND QUARTERS 1997-98  
Papers and Ministerial Statement**

**MS CARNELL** (Chief Minister and Treasurer): Mr Speaker, for the information of members, I present the ACT Government Work Force Statistical Reports for the first quarter and second quarter 1997-98. I ask for leave to make a very short statement.

Leave granted.

**MS CARNELL:** Mr Speaker, in accordance with my undertaking during the May 1997 Estimates Committee hearing I am tabling, for the information of members, the work force statistical reports for the first and second quarters of the 1997-98 financial year. These reports reflect the new format introduced in the fourth quarter of 1996-97 report. It includes the comparative figures for the respective quarters in the previous two years.

**REVIEW OF THE GOVERNANCE  
OF THE AUSTRALIAN CAPITAL TERRITORY  
Report and Papers**

**MS CARNELL** (Chief Minister and Treasurer) (3.49): Mr Speaker, for the information of members, I present the Report of the Review of the Governance of the Australian Capital Territory, together with the statements made to the review and the transcripts of public hearings. I move:

That the Assembly takes note of the papers.

I am pleased to be able to table today the report of the working party which was established to undertake a review of the governance of the Australian Capital Territory. I also table, for the information of members, copies of all submissions which were submitted to the working party and the transcript of proceedings for the public hearings which were held on 4 and 5 March 1998. It should be noted that I provided a copy of the report to all members on Friday, 24 April 1998. I also foreshadowed that I would be tabling the report today.

Members will be aware that the review was jointly announced by the Commonwealth and ACT governments on 7 November 1997. The working party was chaired by Professor Philip Pettit, with Mr Tim Keady as the ACT representative and Mr Bill Blick as the Commonwealth representative. The major tasks for the working party were to examine and report on the governance of the ACT, particularly the role of the Executive and the legislature, and to consider possible alternative forms of governance.

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Mr Speaker, another major task for the working party was to recommend ways of promoting greater community participation in and accessibility to government. In order for this to occur, the working party was asked to advertise widely to seek public submissions and debate on this matter. Mr Speaker, I personally believe that the working party completed this particular task in an exceptional manner. It is obvious from the report of the working party that they consulted extensively and sought the views of a wide range of people within the community. The response from the community was also very good. Forty-two submissions were received by the working party, and I understand that there was quite a lot of interest in the public hearings which were held in March 1998. Professor Pettit was untiring in his devotion to ensuring that the insights of members of this and previous Assemblies were available to the working party, and I think everybody here who wanted to take part was able to do so.

This Government has taken the working party's report very seriously and I hope that the select committee that will be established, hopefully a little bit later today, will do the same in considering the report. This Government has already implemented one of the working party's recommendations through the appointment of Mr Michael Moore, MLA, as Minister for Health and Community Care. The working party's report recommended an increase in the size of the ministry and laid out the terms on which an Assembly member who is not a member of the governing party might serve as a Minister. It is on this basis that Mr Moore has accepted a ministry. The Government was keen to implement this recommendation quickly so that there would not be too much disruption too far into this Government's term of office. I believe that the appointment of Mr Moore as a fifth Minister will significantly improve the efficiency of public administration through the alignment of five Ministers and five departments.

Finally, I would like to thank the members of the working party - Professor Pettit, who chaired the review, Mr Bill Blick and Mr Tim Keady - for their hard work, energy and commitment. To have the report ready for me to table in the Assembly on the first official sitting day was a major and commendable achievement. Mr Speaker, it was a big ask to ask the working party to report at this time; but they did so in order that this Assembly could start, right from the beginning, with the report on the table and, hopefully, a select committee to look at it. I am sure all members will agree that the working party had a challenging task, and I believe that the report provides a way forward in achieving real change.

One of the things that I was most pleased about in this report was the general acceptance of self-government that came forward from the public's submissions, and also the realisation that members of this Assembly do have a huge workload. One of the recommendations, among many, that I hope the select committee will look at very seriously is the proposal urging the Federal Government to have a preamble to the self-government Act spelling out the roles, responsibilities and powers that the ACT Assembly should have.

I also think the Pettit inquiry was right in saying that one of the things that we do not do well in this place is sell the great work that does come out of this Assembly. We really do not get out to the community generally the message that this is not one of the least efficient governments or parliaments in Australia but probably one of the most efficient in terms of the speed, accuracy and efficiency with which we do our job. Mr Speaker, I hope that this report is taken seriously by all members of this place. I do not doubt that that will happen.

Question resolved in the affirmative.

**SOCIAL POLICY - STANDING COMMITTEE (THIRD ASSEMBLY)**  
**Report on Inquiry into Services for Children at Risk -**  
**Government Response and Ministerial Statement**

**MR STEFANIAK** (Minister for Education) (3.55): I present, and ask for leave of the Assembly to make a ministerial statement on, the Government's response to Report No. 7 of the Standing Committee on Social Policy of the Third Assembly entitled "Services for Children at Risk" which was presented to the Assembly on 9 December 1997.

Leave granted.

**MR STEFANIAK:** I move:

That the Assembly takes note of the papers.

Mr Speaker, the Government thanks the members of the Social Policy Committee in the last Assembly for the work they put into the report tabled last December. It is, indeed, an extensive coverage of services for children at risk in the ACT. The Government agrees with the spirit of the report, especially those recommendations which address the coordination of government services, and I must reiterate that we are firmly committed to continue to look at ways of improving the services to children in the at-risk group.

The report identifies a number of areas for further work which the Government is progressing. However, the reality is that in the area of community and family services there will always be more needs than can be met from within the available budget; but I would like, Mr Speaker, to briefly discuss some of the achievements of the last Government in this important area.

In its last term of office the Government made considerable efforts to deal with the complex issues relating to children at risk and the provision of family support programs which assist them. Initiatives which commenced and are continuing include the creation of opportunities for cooperation between schools and government and funded non-government community services. The results of this are now being seen in innovations such as the link between the Tuggeranong Family Support Service and Kambah High School.

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The Government established the ACT Council on the Family. The council's role is to advise me on key issues affecting families, and promote family values and the importance of the family within the Territory. The ACT substitute care system is being reviewed. The purpose of this review is to investigate demand for services, adequacy of supply of services, funding arrangements and standards of care. The Children's Services Act is being reviewed, and this will result in legislation being brought to the Assembly later this year. The Act is now 10 years old and requires revision to reflect modern child welfare practice.

The Government also established and funded new services for young people at risk, including the Canberra Youth Outreach Service which operates after hours to support young people, and the Galilee program for young people in substitute care. This latter program, Mr Speaker, was acknowledged as the most innovative program in Australia for this most at-risk group of young people at a national conference of government and non-government agencies and young people in substitute care.

The youth education access program is an education support program developed by the Children's, Youth and Family Services Bureau in conjunction with the Government School Division and the Civic Youth Centre. The program provides direct support to marginalised young people, to assist them to access educational, vocational and work experience opportunities.

My department's staff development section has presented training in January and April this year to high school staff which was focused on youth at risk. Over 900 teachers have attended these programs, which have included information on risk assessment, resolving conflict, issues of social belonging, and drug and health issues. My department has joined with the Marymead substitute care organisation to develop home-based programs where parents learn parenting and play skills. The program also offers family support and an opportunity for families to develop a network of community support mechanisms. Links are also being established to identify child-care opportunities for the parents in the program.

A working group has been established within the department to look at making baseline developmental assessments of children entering substitute care. The working group will develop procedures to ensure that these children are assessed and developmental issues identified early and appropriate action taken. Following on from this work, the department will introduce education plans for children in substitute care. These plans formalise the existing practice of family services and teaching staff working together to identify educational goals and approaches where they are appropriate for the children in care. These plans will become a formal part of the case management of these children and will complement the care plans and development plans developed by Family Services and the Child Health and Development Services respectively.

Mr Speaker, all these projects I have mentioned have demonstrated the importance that the Government places on supporting children at risk in our community. I also note with pleasure that the committee's report has recognised some of the significant achievements of the last Government in the areas of services to children at risk. These include forming a single agency to address services to children, improved coordination of government services, and the introduction of mandatory reporting of child abuse.

Mr Speaker, I will briefly discuss these important points. The Department of Education and Community Services is unique in Australia in being the one agency to be responsible for education, care and protection, child care, youth justice services, early intervention services, child health and development, supported accommodation assistance program services, as well as policy development and funding of community agencies across many of these areas. The Government believes that significant improvements have already been made in delivering these services. Some of these I have already mentioned.

The report noted the significant efforts that are under way with the aim of better coordinating service delivery between government agencies responsible for children at risk. Protocols which lay out roles and responsibilities are developed or are in the process of being developed between Family Services and the police, Disability Services, schools and preschools, SAAP service providers and the Child at Risk Assessment Unit. Interagency networks have also been developed and are meeting regularly. These seek to prevent child abuse and minimise its harmful effects on children.

The committee also recognised the efforts undertaken by the Government to put in place a systematic training program to coincide with the introduction of mandatory reporting in mid-1997. Training has been provided to Family Services staff, teachers, community nurses, dental services, preschools and child-care centres, hospitals, ACT Mental Health Services, medical practitioners, police, primary health care service and disability program staff. Over 2,500 people in these occupations have been trained so far, and the training is ongoing.

In tandem with the introduction of mandatory reporting, under the theme of "New Directions", Family Services has introduced other major reforms to the child protection system in the ACT. These include, as an educative process, the implementation of a prevention strategy in line with a national emphasis on child abuse prevention. Family Services has also adopted a family preservation approach with the emphasis on promoting the option of kinship care as the best alternative when substitute care arrangements need to be put in place. In addition, Family Services has formally adopted the Aboriginal placement principle as one of its policies and has created four Aboriginal identified child protection and youth justice worker positions.

I am pleased to note that the committee endorsed the implementation plan for the Government's youth strategy. The strategy aims to establish a broad framework for developing policies and strategies which will underpin the provision of programs and services to young people in the ACT. In addition, the Ministerial Youth Advisory Committee, MYAC, will continue to provide advice to me on youth-related issues.

Furthermore, Louise Littlewood's additional comments to the report mentioned the development of a new scheme to assist ACT Housing tenants with their rent payments. As my colleague Mr Smyth announced recently, ACT Housing tenants who receive social security benefits may now have their rent and other debts to Housing deducted automatically from these benefits. Where families do experience difficulties with their financial management, ACT Housing will refer families to counselling services and provide advice on legal and appeal rights. This is all part of the Government's commitment to assisting families to care for themselves and their children.

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Mr Speaker, with ACT families in mind, I would like to take this opportunity today to announce that a key initiative of my department will be the development of a Department of Education and Community Services family support policy and implementation plan. The Government is committed to building upon family strengths by assisting and supporting carers to care for, protect and promote the wellbeing of their children. This policy will have significant benefits to the group of children at risk in the ACT. The policy will cover the provision of integrated and accessible services to parents and involvement of parents in planning and their participating in service delivery. It emphasises that family support is an inherent part of all the services the department provides, be they government schools, youth justice services or specifically funded family support services. It will also explore the opportunity for schools to be the focal point for delivery of a range of family support services.

As my department provides a significant level of funding for family support to the community sector, a coordinated approach is essential to ensure efficient and seamless delivery and promotion of government and government-funded services. As noted by the Social Policy Committee, the department has already undertaken valuable work in mapping the delivery of family support services to provide a basis for future planning of delivery of those services. In developing this policy and implementation plan the department will be seeking comments from some service providers and will be asking the ACT Council for the Family to take a key role in providing community feedback. Members of the council have been appointed as representatives of the broad community because of their expertise and understanding of issues which impact on families. Therefore, their views on this important policy will be valuable for the department in finalising this initiative.

To summarise, Mr Speaker, the Government's response to the committee's recommendations falls into three main areas - where actions are already under way within the responsible portfolios to address the recommendations; where existing Government programs are being reviewed, which will address many of the committee's concerns; and where recommendations would have a significant impact upon budgetary resources. However, Mr Speaker, the fundamental issue for the Government which has been identified by this report is that of priority setting for future needs and resources. Given the constraints on the ACT budget, this is where this report is most helpful.

The Government agrees with the additional comments to the report provided by Louise Littlewood. These comments noted that the committee had not been able to have an in-depth look into some areas and that as a consequence the recommendation to spend an estimated \$2m could be a little premature. Recommendations that involve potential significant costs to government will therefore be viewed in the context of future budget processes.

Mr Speaker, independently of the committee's recommendations, two reviews are currently being conducted which will impact on the delivery of services in this area. One of these is the review of the ACT substitute care system which I have already mentioned. The other is the review of service provision under the supported accommodation assistance program, SAAP. The committee's report will contribute



significantly to these reviews. However, the Government has not attempted in this response to prejudge the outcomes from them. Again, the Social Policy Committee's report will have a great deal of influence over the setting of Government priorities in these areas after the reviews have been completed.

Mr Speaker, the Government supports the general thrust of the committee's report and addresses each recommendation in the response which I have tabled today. I must reiterate that, while we are making significant progress, it is a complex area and there are always more needs than can be met from within the available budget. However, the Government is firmly committed to continue to look at ways of improving the services to children in the at-risk group. I commend to the members of this Assembly the Government's response to the Social Policy Committee's report on services for children at risk in the ACT.

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

### **COMMITTEES - STANDING AND SELECT Establishment**

Debate resumed.

**MR HUMPHRIES** (Attorney-General, Minister for Justice and Community Safety and Minister Assisting the Treasurer) (4.08): Mr Speaker, I enter into this debate to support the motions Mr Osborne has moved and to oppose Mr Berry's amendments to the motions. I have to say that I was struck as I listened to Mr Berry's remarks, in particular, by how little has changed, how little has been appreciated and how little has been learnt in the last six months by, at least, Mr Berry. Perhaps I cannot tar his colleagues with the same brush. I was reminded of a description of the Bourbons by, I think, Talleyrand in the last century. He said, "They have learnt nothing and forgotten nothing".

That sounded very much like Mr Berry. Nothing appeared to have changed. It was as if the whole election, and the knocking down of the Labor Party's support to close to 27 per cent, had made no difference at all. It was going to continue business as usual. Mr Speaker, I say that because in the course of those remarks by Mr Berry I heard so many comments that smacked of the usual lack of regard for what is, in fact, the case on the floor of this chamber with respect to interaction between members and the operation of committees. His comments might impress those who have not served on committees before, but those of us who have are not much impressed by what he had to say.

First of all, Mr Speaker, Mr Berry, throughout his comments, consistently perpetuated the myth that we are abolishing the Scrutiny of Bills Committee and Public Accounts Committee functions. He said that because there were no committees with those names there was no function of that kind. That is nonsense. Mr Osborne's motion is quite explicit. In fact, I suspect that he lifted paragraphs (2) and (3) of his motion directly from

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the motions which established the original Public Accounts Committee and the original Scrutiny of Bills Committee. They are direct reflections of what is the existing practice of this Assembly with respect to those matters. There can be no rational suggestion that the Assembly is abandoning either of those functions merely because committees with those names no longer exist.

Mr Wood seemed to be distressed that as a member of, say, the Chief Minister's Portfolio Committee he might not be able to go to meetings of public accounts committees from around Australia because that title was no longer employed in the title of his committee.

**Mr Wood:** No, I did not say that at all.

**MR HUMPHRIES:** Mr Speaker, I am quite certain that that will not be the case; that he will be able to attend such meetings if he wants to, and that no-one will regard the ACT any less because we do not have that function under the title of its committee but we do continue that function, very clearly, within the work of a particular committee.

**Mr Wood:** I raise a point of order, Mr Speaker.

**MR SPEAKER:** I am glad you are back in your chair to make it, Mr Wood.

**Mr Wood:** Mr Humphries is misquoting me. I simply raise the point of order to make that statement. He should listen to what I say. I am sure he did listen. He just wants to use the words in his own way.

**MR SPEAKER:** You were out of your chair. You probably misunderstood him.

**MR HUMPHRIES:** I will study carefully what you had to say, Mr Wood.

Mr Speaker, Mr Berry also made the point that no-one in the previous Assembly ever called for a change of the committee structure. That might be a persuasive argument for not changing things. It is a weak argument, I would have thought; but, supposing it were true, it would be an argument of sorts in favour of not making a change. But, Mr Speaker, I have to say that it is not true. There have been calls for change in committee structures. I would like to quote from one particular member of this chamber who spoke in a debate on 4 December last year. I will read a couple of paragraphs. I quote:

With the agreement of the Standing Committee on Planning and Environment, -

this is with reference to the Public Accounts Committee -

an Auditor-General's report dealing with contaminated sites was referred to that committee -

that is, the Planning and Environment Committee -

as it had such matters under examination. Similar cases may arise in the future.

Here is the crunch part:

There is also scope for a more general policy of referring certain Auditor-General reports to other standing committees.

This is the very point that Professor Pettit has made in his recent report - that there is no reason why you need to have a single committee dealing all the time with one particular activity called public accounts when it is possible that another committee with a broader function might take that role, or even that a number of committees might take that role. That latter part of the suggestion is not what Mr Osborne's motion has called for, incidentally; but it certainly is a suggestion which has been put forward. Indeed, it was being put forward by this member of the chamber at that time. I will read further from the speech that he gave:

While the Public Accounts Committee in the next Assembly will need to retain its function of auditing the accountability of agencies, it may see overall benefit for the Assembly in involving other committees, as appropriate, in reviewing the Auditor-General's reports which deal with matters falling within the direct ambit of those committees.

For example, if you had an Auditor-General's report on nursing you might refer that to a committee on health. It would make sense, would it not, for a committee on health to look at an Auditor-General's report on nursing? With great respect, what expertise does a public accounts committee have on health-related issues, on the operations of the hospitals or on nursing specifically? I would argue that it has very little or none. Mr Speaker, who was this member who was making these supportive statements? It was Mr Whitecross, then the chair of the Public Accounts Committee.

**Mr Hird:** Was he leader or deputy then?

**MR HUMPHRIES:** I forget. There was such a revolving door over there that it was a bit hard to tell who was the leader at that stage. Mr Speaker, he was the chair of the Public Accounts Committee and he made it clear that he saw scope for change in the committee structure of the Assembly.

On this score the people over there are being extremely conservative. They say that what we have always done we must continue to do, with no change. The conservatives over there are saying that we cannot afford to depart from this model. Their lack of vision about how we can improve the form of government that we deliver to the people of this Territory is very disappointing. It is much at odds with Mr Stanhope's expressed desire not only to be part of the debate for change but to actually lead it by chairing a select committee in this area. So far I have yet to see even the faintest glimmer of a willingness on the part of the Labor Party to embrace some sort of change, to believe that change is actually good, to reinvigorate the nature of democracy in the ACT.

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Mr Speaker, I have heard other arguments claiming that the environment has been neglected. As I recall it, until the Carnell Government was elected there was no committee on the environment in the ACT. There was a Planning, Development and Infrastructure Committee which I think might have considered environmental matters as a tangent on occasions, but there was no committee dealing with the environment. There was at one stage a Conservation, Heritage and Environment Committee; but those functions were rolled together in the last Assembly, and I think rolled together extremely successfully. I think we achieved a great deal of recognition through the meshing of those two important roles. Planning is about, among other things, planning for the environment. The environment is about having a well-planned city, and so on. Mr Berry also argued that we should not make these changes until the select committee has reported. I would say to Mr Berry that we have long experienced the committee structure of the kind that he is proposing here today. Why not have a chance to try the other structure proposed in Mr Osborne's motion to see how it might work?

Mr Speaker, Mr Wood also made a contribution. He spoke particularly about the Scrutiny of Bills Committee and about how it would be terrible to have five different scrutiny of Bills committees. I will not get into that argument. I simply say to you that that is not what Mr Osborne's motion is proposing today. It is that we have a single committee responsible for the scrutiny of Bills, and that is the Justice and Community Safety Committee. Ms Tucker argued that that would be a committee which would not be interested in the scrutiny function, that it would be interested in other things; but I think that does a disservice to those who would serve on the committee. Under this structure there is less overlap of membership between committees. There are fewer members running between different committees. The chance for those members to focus more heavily on the task before them is enhanced and this ought to be a vehicle to create better committee work. I do not believe that members of, say, the Justice and Community Safety Committee would be so overwhelmed by other things that they would not be able to focus on the scrutiny of Bills function.

I might finally say, as a former member of the Scrutiny of Bills Committee, that the importance attached to the scrutiny of Bills and that committee's work has been greatly exaggerated in this place. Mr Wood and others who have served on the committee would know that it is a pretty mechanical committee. It never writes its own reports. They are prepared by the legal adviser who comes, generally, from the ANU. He presents the report. There is sometimes a fairly cursory amount of debate on the floor of the committee and the report is adopted almost always in its entirety as presented. (*Extension of time granted*) I thank members. His report is almost always adopted by the committee as it stands. Mr Speaker, I do not believe that a committee with other functions as well is going to be unable to adopt a report presented by the legal adviser any less competently than the Scrutiny of Bills Committee used to do so.

Mr Speaker, I think we have here a structure which is bold and which is appropriate for dealing with issues in a holistic way on the floor of this Assembly. If, for example, there is a scrutiny of Bills report which says that there are certain problems with a piece of health legislation, it would make sense for that Bill to be looked at by a health committee

so that it can examine both the content and the form at the one time. Again I emphasise that that is not what Mr Osborne is proposing at this stage. He simply proposes that that function be taken on by the Justice and Community Safety Committee, and I support that proposal.

**MR STANHOPE** (Leader of the Opposition) (4.19): Mr Speaker, I find it fairly ironic that the first debate that we are holding in this Fourth Assembly is a debate on a motion that will have the effect of decreasing the scrutiny and accountability of the Executive and of the Government by the Assembly. One of the great concerns I have about this motion is the fact that it follows so closely on the heels of the failed Executive committees proposal, the Chief Minister's idea to completely undermine the basis on which parliaments in the Western world, under the Westminster and the Washington systems, actually operate; the way that we, as democracies in the Western world, the very successful governments around the world, have operated for hundreds of years in a very tried and true way.

It is not that we are stuck, or that we are traditionalists, or that we are not prepared to look at other ways of operating. It is just that we do not think we should throw out, without some very serious consideration, those checks and balances that have operated in parliaments everywhere under our system for a long time. The Executive committees would have done that. I think they have been trashed now. We do not need to go over the reasons why the Executive committees were trashed, but they were trashed for reasons which relate to the concerns that we have about the proposal to do away with the Scrutiny of Bills Committee and to do away with the Public Accounts Committee.

Those two committees really do carry with them a significant scrutiny of the Executive role. That is what they are designed to do. That is why they are separated out from other committees, from policy committees or straight legislation committees. That is why they exist. That is why parliaments that are jealous to guard the tenets of democracy, the tenets of responsible government that we should so jealously guard, maintain committees of that sort.

It is also very pre-emptive of Pettit for us to adopt this motion. The Pettit discussion on the Scrutiny of Bills Committee and the Public Accounts Committee is about three or four sentences long. I think it is incredibly disappointing that there was not some discussion on what the implications of abolishing these committees would be. In effect, the discussion about what we might do with public accounts and the scrutiny of Bills is reduced to a sentence saying this:

And in looking at legislation in its area, each Committee would take responsibility, not just for considering policy-related matters, but also for ensuring, on the basis of professional advice, that the legislation is satisfactory in more formal respects as well.

It seems to me that that is an incredibly simplistic description of what it is that a Scrutiny of Bills Committee does. Whilst we might rely on the technical advice of experts to ensure that the legislation does meet the criteria that we would wish it to, it seems to me to be a very simplistic and dangerous response to a decision to do away with a Scrutiny of Bills Committee that looks at ensuring that legislation does not trespass on personal rights

and liberties; that it does not make rights and liberties dependent on insufficiently defined administrative powers - all those things that we guard against in ensuring that we do not trespass on the rights of citizens in our legislation. It seems to me to be an incredibly flippant response to the weighty matters that scrutiny of Bills committees traditionally consider to actually say that we can disperse that function amongst all our policy committees, and that if there is a civil rights issue or a personal rights issue we can reduce that to policy committees ensuring that "the legislation is satisfactory in more formal respects as well".

It seems to me that there is some confusion generated by the nature of the discussion and the motion in itself. The motion, as proposed, places the scrutiny of Bills function within the Justice and Community Safety Committee and the public accounts function within the Chief Minister's Portfolio Committee. I think the stratagem proposed by Pettit was that each of the policy committees would accept responsibility for the scrutiny of Bills that were relevant to it, as determined by the Speaker, which in itself I think is probably a novel idea. The Speaker will determine which legislation gets referred to which committee. That was the basic Pettit proposal, but we have modified that. In this motion we have actually undone the Pettit recommendation. So, not only are we pre-empting Pettit; we are purporting, I think, to make a decision which, with some justification, is coming out of the Pettit report. In fact, that is not what we are proposing. This is a new model. This, in effect, is actually to repose in the Chief Minister's Portfolio Committee and the Justice and Community Safety Committee the functions of those two committees. So I presume that what we are doing here is removing from those other three committees any responsibility for scrutiny of Bills type of issues or public accounts type of issues. This is a hybrid. What we have here is a hybrid of the Pettit proposal.

To that extent I support the sentiment expressed by Ms Tucker: That it seems that there is nothing to be lost in our creating these committees now and allowing the select committee, which I think has broad, if not unanimous, Assembly support, to do its work - to do some investigation, to do some detailed work on what the implications are of doing away with these committees. The fact that we have had such a vigorous debate with so many members participating, the fact that so many members have been inclined to join in this debate and express concerns about this proposal, indicates that it deserves to be treated seriously. We should not lightly throw away a committee structure that has served this Assembly well, and has served other parliaments extremely well, without knowing what we do. Why not wait until the select committee does a proper investigation of this report? Why not wait until August? Why not have some rigour brought to the process?

**MR KAINE (4.27):** Mr Speaker, I have to say at the beginning that I have no particular objection to the outline of committees as proposed by Mr Osborne in his motion. I had noted that he was attributing to a particular committee the former functions of the Public Accounts Committee in particular. That did not give me cause for great concern until Mr Moore attempted to clarify the issue earlier when he said that we were in a better position now than we were before because we actually have five committees reviewing

the Government's accounts. That confused me a bit because paragraph (2) of this motion makes a particular committee responsible for the former duties of the Public Accounts Committee. It lists them. It refers to the accounts of the receipts and expenditure of the Australian Capital Territory, the financial affairs of authorities of the ACT, and all reports of the Auditor-General.

If that is the case, what financial review functions do the other committees mentioned in subparagraphs (b), (c), (d) and (e) have? If all of the functions of the old Public Accounts Committee are concentrated in the Committee for the Chief Minister's Portfolio, surely that is where the authority and responsibility reside. I would ask Mr Osborne, the mover of this motion, just what financial and fiscal oversight functions he envisages these other committees having if the functions of the Public Accounts Committee are all centred on this one committee. It seems to me that this is quite confusing, and the chairs of these other committees, I suspect, will not know what their responsibilities are or how they overlap with the responsibility of the Chief Minister's Portfolio Committee unless there is some amplification of that matter now.

I come to this debate with a bit of a handicap, since I was specifically excluded from previous discussions on the matter of these committees. Presumably, some of the other members present are better informed than I am on what the intentions were in establishing these committees in this way. If Mr Osborne's paragraph (2) is to stand, then surely subparagraphs (b), (c), (d) and (e) of paragraph (1) must have a rider at the end that says, "With the exception of the financial oversight function, the responsibility of the Chief Minister's Portfolio Committee", or words to that effect. Otherwise there is a duplication of function and an overlapping of function, and one would never know, as a member of a particular committee, who is doing what or whether some particular aspect of the budget is being looked at by anybody, until all the reports are in. Then we would sit down and say, "We overlooked some significant aspect of the budget that nobody looked at".

As I said, Mr Speaker, I am merely seeking some amplification of this. It is Mr Osborne's motion. Perhaps, before the debate is concluded, he might clarify that issue for me. It may be that all the other members are quite clear on this, but I would like to have it clarified as to where the financial and physical oversight responsibility is going to reside under this committee structure.

**MS CARNELL** (Chief Minister and Treasurer) (4.31): Mr Speaker, as Mr Osborne is not here, maybe I can help with that. The proposal is that the Public Accounts Committee functions are held in the Chief Minister's Portfolio Committee and the Scrutiny of Bills Committee functions are held in the Justice and Community Safety Committee. What the other committees may choose to do but not have responsibility to do is to look at such things as the monthly reports that are tabled in this place and to assess, say in health, such things as the activity reports and the financial statements that come down as part of that. Mr Moore will be able to make a comment on that.

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**Mr Stanhope:** So you are not following Pettit on this?

**MS CARNELL:** No, not exactly, I have to say. What we are doing is leaving open an opportunity, as Mr Whitecross said. The Public Accounts Committee, under the Chief Minister's Portfolio guise, would have those responsibilities. Equally, I think that one of the things that the select committee should look at is an opportunity to do exactly what Mr Whitecross said. If people want to have the name "The Chief Minister's Portfolio Committee and Public Accounts Committee", we could just have it in the name and that might make everyone happy. That is the stupid reason. This is a dumb debate. It simply does not make any sense whatsoever.

Mr Speaker, I think it is appropriate for the committees that will be set up, based upon departmental structures, to look, if they choose to, at some of the financial statements that come out, not just because it is their role to. I could imagine situations. What is a good example? We all know at the moment that, say, ACTION buses are tracking significantly under budget in terms of patronage. That might be something that a committee might look at. A committee might look at something that it chooses to look at, Mr Speaker. It might not.

I think that what we are talking about here is a lot of rubbish. Mr Speaker, I cannot believe that members of this place would have chosen to go down a path of setting up a whole range of committees and then in two or three months' time abolishing them and setting up something new based upon the outcome of a select committee. We did look at that when many of us discussed this issue. The reason we chose to go early - to answer the questions of those opposite - was that if committees were going to be set up for two months or three months they would be halfway through inquiries. They would be halfway through public consultations. There would never be a time when you could change the structure, or easily change it, without having a whole lot of information literally being useless. We would have people who were on a particular committee ending up on another one after they had just got up to speed on a particular inquiry. That would be truly stupid.

**Mr Quinlan:** So the select committee is to be a rubber stamp?

**MS CARNELL:** No; we are talking about the standing committees. The standing committees would be totally different under a new system.

**Mr Quinlan:** The select committee on the implementation of Pettit must therefore be assumed to be a rubber stamp.

**MS CARNELL:** It is fairly obvious that the majority of the Assembly support the new approach. It is patently obvious that that is the case. Mr Speaker, the bottom line here is that what is being proposed is a quite simple change. If those opposite feel comfortable about calling it "The Chief Minister's Portfolio Committee" or "The Chief Minister's Portfolio Committee and Public Accounts Committee", I do not think anyone will have a problem with that. I do not think anyone will have a problem with the scrutiny of Bills being tacked onto the name of the Justice and Community Safety Committee.



Let us be fair, Mr Speaker. Let us have a sensible debate here. Let us look at actual outcomes. Let us look at the ongoing recommendations by a number of people, not just Pettit, to look at more sensible committee structures, or ones that just might be better. Would it not be good to - - -

**Mr Stanhope:** But not scrutinising, like Executive committees.

**MS CARNELL:** Professor Pettit has made it clear that he believes there will be greater scrutiny. Are you suggesting that Professor Pettit is wrong?

**Mr Quinlan:** You are. You are not adopting his recommendation. You have just said that you are not adopting his recommendation.

**MS CARNELL:** Absolute rubbish! Not in full; that is true.

**Mr Quinlan:** So you are saying he is wrong.

**MS CARNELL:** No, no. Professor Pettit has made it clear that he believes that committees aligned to departments, which is what we are doing, will exhibit greater scrutiny over the operations of government and the Executive. Mr Speaker, I tend to agree with him, and I think it is worth a go.

**MR HARGREAVES (4.36):** Much to the surprise of members opposite, I would like to speak in favour of Mr Berry's amendments.

**Ms Carnell:** That is a surprise.

**MR HARGREAVES:** I thought it might be. I also want to comment on the original motion. Mr Speaker, the Chief Minister just said that we are opposing a structure which might work. Mr Speaker, these changes might not work. I intend to show how they might not work. I note, however, as a new person to this place, the example shown to us by members of the Government in the non-adversarial approach to deliberations in this debate. These attacks on Mr Berry give me great heart that issues will be debated in the Assembly on their merits and not on the perverse personal attacks which have been the case thus far!

Mr Speaker, despite all the rhetoric that has emanated from members opposite, there are some realities which must be stressed. These were provided by Ms Tucker and I would like to expand on them. It is imperative that the Assembly recognise that one of its redeeming features in years gone by has been the effective committee system. The changes proposed by the Government through Mr Osborne inflict changes on a successful system. To me, this can mean only that the Government wants to change the effective system to suit its own drive for control - the old divide and rule concept. This is demonstrated by the need to disperse the PAC and Scrutiny of Bills Committee roles across committees which purport to shadow ministries and agencies.

This Government is hell-bent on replacing a bona fide Opposition with a committee system which it can control through the apportioning of workload. The effect of this is to shrink the effectiveness of opposition to the Government's agenda. It is shrinkage by workload. The question must be asked, "Why does the Government want to change the system?". Is it because the Government is afraid that its inefficiencies will be exposed? Is it because the Government wants to be obstructive and not consultative, and what does it want to hide? It is imperative that the Assembly have within its structure a series of independent umpires. PACs and scrutiny of Bills committees made up of a combination of Assembly members provide those independent umpires.

Mr Speaker, we on this side of the chamber are keen on open government. It would appear that we are keener on this concept than our colleagues opposite are. In examining the construction of the proposed committees I notice that there is a lack of appropriate attention to the vital issues of women's affairs and multiculturalism. An examination of the original motion reveals glaring holes in this area. Women's issues have been consigned to each portfolio responsibility under the catch-all of "any other matter under the responsibility of the portfolio Minister". This is just not good enough. Members opposite skite frequently that they are all for promoting the unique women's issues; yet they consign the issues to the "any other matter" rubbish bin.

The same goes for multiculturalism. This most important issue is referred to in the subparagraph relating to the Chief Minister's Portfolio Committee only as "arts and cultural services". There is no real commitment to promoting this issue at all. Where is the reference to indigenous affairs? It does not exist, which, I might say, is reflective of the Government's commitment to indigenous people. At least the Social Policy Committee, under the existing structure, addressed these issues as part of its wide-ranging charter and its ability to self-refer, which is also something which it is proposed be removed.

Mr Speaker, these proposals are ill thought out. They do not further the quality of service, debate or examination of the effectiveness of the services government delivers. I support Mr Berry's amendments on the basis that he is quite rightly trying to correct an anomaly. There is a distinct lack of accountability in the proposed system. A watering down of PAC and Scrutiny of Bills Committee work is a watering down of the watchdog roles these committees have. As they say in the classics, "Who guards the guards while the guards are guarding Rome?". In the case of governance of the ACT, the answer is no-one.

**MR QUINLAN (4.41):** Mr Speaker, I do not wish to belabour the points much further, because I think they have been fairly well articulated by this side of the house. I just want to pick up something that Mr Moore, of the newly formed Liber-Moore coalition, introduced into the debate earlier. I spent a bit of time preparing my speech for this morning. Mr Moore made some comment about our promise for cooperation and referred to the fact that we might not be honouring it. Let me read into *Hansard* again two parts of my speech:

... much has been said in and of this place with regard to adversarial politics. I have to observe that at times the piety and breastbeating associated with condemnation of an adversarial approach has been quite obviously contrived.

...                    ...                    ...

In my limited time in this place I have observed several initiatives taken in the name of a cooperative approach to government. I am yet to be convinced that any genuinely had that noble aim.

**MR SPEAKER:** The question is: That Mr Berry's amendments be agreed to.

**MS TUCKER (4.43):** Mr Speaker, pursuant to standing order 133, I move:

That the question be divided.

**MR SPEAKER:** Whereabouts exactly, Ms Tucker?

**MS TUCKER:** It is amendments (3) and (4). I want the question to be divided so that the issue of the planning and environment committees is addressed separately from the Scrutiny of Bills Committee and the Public Accounts Committee.

**MR BERRY (4.43):** One can pretty easily work out the numbers here. I get a smell in my nostrils that the Planning Committee and the Environment Committee are just about to be transformed into ashes and certainly will not be a part of the committee process in their own right for the future of this Assembly. Ms Tucker therefore has chosen the right course in seeking to divide these issues in order that they can be considered separately by the Assembly, and the rather more momentous debate about the Public Accounts Committee and the Scrutiny of Bills Committee can proceed.

There is another issue which arose in the course of the debate, Mr Speaker, which needs to be exposed. I heard this morning a little bit of a contest about whose idea these agency-style committees were. Mr Osborne claimed them as his idea. I rather think that they were the Government's idea. Mr Moore seemed to think they are a better idea, a better way of doing things. I was able to get a copy of the much bucketed *Governing Canberra* report which sets out exactly the same model. The agency committees are set out in the report and everybody would have seen it. At the time I thought I would like to find out what people said about this in the course of debate. The report said this:

It is envisaged that a small number of Assembly Committees, matching Ministries but not usually chaired by Ministers, should result in a streamlining of the Assembly's decision processes.

And so on. This report was almost universally bucketed. The Government ran for its life on it after it was bucketed a couple of times, but still these ideas persist.

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Anyway, I looked at *Hansard* for something that Mr Osborne might have said. I must say that I was searching for something that I might be able to use to embarrass him about the issue, but I could find nothing. He made no contribution to the debate, so I rather think that he never read the report. Perhaps that is why he thinks it was his idea. It was certainly around before these issues were put forward by Mr Osborne. This idea then was talked about by Mr Moore, and he comprehensively bagged this sort of community process. I am rather curious to discover why it is now a better idea. When it was put forward in the *Governing Canberra* report and analysed by the *Canberra Times*, as far as I can make out from the debate it was discarded by the government of the time. Mr Moore, quite appropriately, said in relation to the report:

The report is fundamentally flawed.

That is a fairly strong statement. He continued:

It proposes that Assembly committees match agencies. That recommendation may be worth looking at. I think that it will not achieve what people are trying to achieve. It will just make the committees reactive to government - - -

**Mr Moore:** Mr Speaker, I take a point of order. I understand that Mr Berry is speaking to the motion that the question be divided.

**MR BERRY:** Indeed.

**MR SPEAKER:** Correct.

**Mr Moore:** This has no relevance at all to the motion that the question be divided. The question is whether it is suitable for us to take the first couple of points first, and then the others. What Mr Berry is doing is completely and totally irrelevant.

**MR BERRY:** No, it is not irrelevant at all, Mr Moore.

**MR SPEAKER:** Mr Berry, I have been listening. I would draw your attention to Mr Moore's comments and ask you to be relevant.

**MR BERRY:** Let me tie it together. I will try to tie it together.

**MR SPEAKER:** Yes.

**MR BERRY:** Mr Speaker, we are about to divide on these two issues - that is, the matters which I have put forward in relation to the Environment Committee, the Planning Committee, the Public Accounts Committee and the Scrutiny of Bills Committee. These have to be looked at in the entire context of the debate. Yes, I have already spoken in relation to the matter, that is true; but these are important issues. The point I make, Mr Speaker, is that Michael Moore said that they were bad once but they are good now.

**Mr Moore:** I take a point of order, Mr Speaker. It is true that I said they were bad once and they are good now, and I do not resile from that. Mr Berry would not understand that an intelligent person provided with a little bit more information might have a different opinion.

**MR BERRY:** A double backflip with pike.

**Mr Osborne:** He can change his mind.

**MR SPEAKER:** Order! Mr Moore is taking a point of order.

**Mr Moore:** The substantive issue has already been well debated. It is quite clear that Mr Berry is working on the substantive issue. It is quite clear that there is a distinction between dividing the issue and the substantive issue. The fact that he does not comprehend that reflects his own abilities.

**MR SPEAKER:** The question is that Mr Berry's amendment be divided, unlike Gaul, into two parts; so go on, Ms Tucker.

**MS TUCKER** (4.49), in reply: Just to clarify the situation for members, I will wrap up the debate on the motion that the question be divided. I am asking that amendments (1), (2) and (5) be voted on together. Amendments (3) and (4) are separate from that. Amendment (5) is a different issue. I have not actually heard it argued. Mr Osborne did not put an argument. Mr Berry, did you put an argument for amendment (5) and for wanting five members on the committee?

**Mr Berry:** Say that again. I am sorry; I was distracted for a moment.

**MS TUCKER:** That is all right. I have talked to Mr Stanhope and I am quite happy to see that committee have a broader membership because I obviously believe it is very important, even though I still have no idea what the committee is going to influence.

Motion (**Ms Tucker's**) agreed to.

Question put:

That Mr Berry's amendments (1), (2) and (5) be agreed to.

The Assembly voted -

*AYES, 7*

*NOES, 10*

Mr Berry  
Mr Corbell  
Mr Hargreaves  
Mr Quinlan  
Mr Stanhope  
Ms Tucker  
Mr Wood

Ms Carnell  
Mr Cornwell  
Mr Hird  
Mr Humphries  
Mr Kaine  
Mr Moore  
Mr Osborne  
Mr Rugendyke  
Mr Smyth  
Mr Stefaniak

Question so resolved in the negative.

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Question put:

That Mr Berry's amendments (3) and (4) be agreed to.

Question resolved in the negative.

**MR CORBELL** (4.56): Mr Speaker, I seek leave to move the amendment circulated in my name.

Leave granted.

**MR CORBELL**: I move:

Paragraph (1), omit “, after the Assembly's endorsement”.

Mr Speaker, I move this amendment this evening because Mr Osborne's motion deletes from the operation of committees of the Assembly a very important practice and principle which we have maintained in this Assembly for some time, and that is the practice and principle of allowing committees to self-refer matters. This is an important power that committees should have because it ensures that the operation of committees is independent of the power of any particular group or coalition in this Assembly to dictate what business an Assembly committee can investigate.

There is no doubt that Assembly committees are one of the most effective tools of our legislature. They provide our legislature with the ability to investigate, to inquire into and to report on matters of significant concern to the community - often matters which a government or other majority groupings in this place may find uncomfortable, or matters which a government would rather not have investigated. An Assembly committee, through the power of self-referral, allows members to look at issues in some detail, with the assistance of all the resources that the Assembly can provide, and to bring down a report directly to all members of this place on what they believe should be the response to the matter of concern.

The history of self-referral by committees in the ACT Assembly has been significant. Some of the most important reports that have been placed before this Assembly have been through self-referral. Ms Tucker's committee in the last Assembly looked at a significant range of issues in the social policy area which the Government found extremely uncomfortable. It did not really want those issues examined in any way, but through the power of self-referral that committee was able to determine what issues should be considered and was able to go in and look at them in critical detail to ensure that this Assembly was presented with a fair, honest and open investigation of a matter of concern.

Mr Osborne's motion currently proposes that approval for an Assembly committee to inquire into an issue can be obtained only from the Assembly itself. Matters can be referred to it only by the Assembly, or at the prompting of the committee with the approval of the Assembly. That, as I have said, greatly restricts our ability to act with independence as members on a committee because, let us face it, when it comes down to it, a significant majority in this place can block any attempt for any other independent investigation in the committee process.

The strength of self-referral is seen not just in this parliament but also in the Federal Parliament. I want to draw a comparison between the House of Representatives and the Senate. The Senate has a self-referral process and the power of Senate committees to investigate, to inquire, and to report independently on issues of concern to the community, without reference to the chamber itself, has allowed the Senate to become a very significant chamber for genuine legislative reform and legislative amendment. In contrast, the House of Representatives does not allow its committees self-referral and you will find, time and again, that the committees of that place investigate and report on only issues which the Government deems acceptable to it.

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.

### **COMMITTEES - STANDING AND SELECT Establishment**

Debate resumed.

**MR CORBELL:** You can see a very clear contrast on the significance of self-referral in the Federal Parliament. One chamber has it; another chamber does not. One chamber acts as a rubber stamp for the Executive; one chamber does not. Self-referral means that the committees cannot be held to ransom by a majority of this place who believe it is not appropriate to investigate a particular issue.

Mr Speaker, I must add that it is perhaps evidence of the ill haste with which this whole proposal on committee structure has been put before us that this issue has not been considered until the Labor Party raised it at this hour. Obviously, the proposers and the supporters of this proposal have not even considered the significance of deleting the power of self-referral. It only underlines the Labor Party's concerns about the way this matter has been handled. It has been handled with purely political motives in mind, with no real consideration given to, and certainly no respect for, the powers of this Assembly to inquire into and respond to what is only an advisory report.

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Mr Speaker, I would urge members very strongly to retain the power of self-referral. Self-referral guarantees the true independence of our committee structure and does not make committees hostage to the wishes of a coalition in this place.

**MR HUMPHRIES** (Attorney-General, Minister for Justice and Community Safety and Minister Assisting the Treasurer) (5.02): Mr Speaker, I have no particular objection to the amendment that Mr Corbell has moved. I note that Professor Pettit has recommended a different approach towards self-referral. However, I think, in the interests of compromise, that it would be appropriate if we were to continue to self-refer, at least until the select committee that we have all foreshadowed in this debate has had a chance to report. The Liberal Party supports the amendment which has been put forward.

**MR WOOD** (5.03): Mr Speaker, I think the Assembly thanks Mr Humphries for that approach. I was going to ask a question rather than make a speech. You test my memory. My memory is that when this Assembly first sat in 1989 the committees did not have the power of self-referral. It was a combination of Michael Moore, the Liberals, the Residents Rally and others that gave the committees that right. As the committee that looks at the Pettit report might do, we should ask the question: Where has that gone wrong? Where are the issues? Where are the subjects that have been discussed? Why should we want to change that? I can think of nothing. I can think of no gripes from the former Labor Government or the current and last Liberal governments to indicate that there was a problem with that. I think Mr Humphries's approach is a good one, a sensible one, and we should thank him for it.

**MS TUCKER** (5.03): I want to offer my support for Mr Corbell's amendment. One of the things that I found quite interesting in the report was the comment that we run the risk of turning committees into sideshows. I have not seen that happen in the three years that I have been here. What I have seen happen is that certain members, because of their particular political viewpoint, have tried to denigrate the work of some committees and the nature of their inquiries. That is fine in the political process, so long as committees, as Mr Corbell pointed out, have that right to self-refer because, in fact, that political viewpoint, which might see one thing as not important or a sideshow, is all it is; it is a political viewpoint. We need to be able to have that discussion in committees and to have that right of self-referral. So I think it is another really important principle that we have to at least allow this select committee to look at. It sounds as though members are supportive of it anyway. I repeat that I still do not know what else in this Pettit report is a *fait accompli* and which things we will be able to look at. There are a lot of things in this report that I have concerns about. I am only finding out in a totally ad hoc way which things certain members here - the coalition, as the Opposition is calling it at this point - agree to. It is a totally closed process, and I want to put on the record that I object.

**MR BERRY** (5.05): Mr Moore was right when he said that this was a fundamentally flawed process, but it will be made better if this is rammed through with Mr Corbell's amendment incorporated. The exclusion of the right to self-refer would have removed any chance of the checks and balances being implemented on many issues. Mr Speaker, it is a welcome change that members have realised that this is an important issue, though the committee process, as it was proposed, has been bucketed from start to finish for many, many months.



I am very disappointed that Mr Moore has changed his position in relation to this. He was right the first time round. He should vote against this overall proposal because it is a bad system, as he properly interpreted it at the time. It is an ominous reflection, I suppose, on some of Mr Moore's principles that he would change so quickly immediately after taking a position with the Executive in this coalition Government.

**MR MOORE** (Minister for Health and Community Care) (5.07): It perhaps would be ominous had I changed so quickly when this Government changed. This is the disingenuous way that Mr Berry operates. Prior to the time that the Chief Minister approached me for a meeting on the issue of a ministry, he knew very clearly that I indicated to him that I preferred this system; that I had changed and that I had done so last time. You may well remember, Mr Berry, that, when the proposal was first put up by the Committee Secretariat here prior to the decision to set up the committees for the Third Assembly, I objected at that stage saying, "No, we ought to proceed with the previous system, the system of the Second Assembly" - which became the system of the Third Assembly as well - "because I believe that the committees are not yet mature enough and they would lose their proactive stance". That was what I was concerned about. Before beginning the negotiations for this position in the ministry which the Chief Minister and I began over the weekend, I had indicated to you very clearly that these committees were my preferred system because I believed that the people who are operating here would ensure that there was an appropriate proactive element to these committees, and I believe there still will be.

With regard to the matter of self-referral, I believe that the Pettit report got this wrong, along with how-to-vote cards and some other issues. I believe that the self-referral role of committees is a very important role that they have. If a select committee looks at governance, looks at Professor Pettit's report, and comes back and gives good reason as to why we would do away with this - a committee that examines the thinking behind Professor Pettit's recommendation - we may well change this around. We may well remove the amendment that Mr Corbell is putting up. This is the point, Mr Berry. People who have taken some more information into their minds, having been exposed to more information, can sometimes - - -

**Mr Berry:** Ha, ha, ha!

**MR MOORE:** I know this is very hard for you to understand. That is why I am speaking slowly for you. People can sometimes - - -

**Mr Berry:** With all the information I still would not be able to do a double backflip with pike.

**MR MOORE:** I will not try any further because I realise you have information overload. Mr Speaker, I will be supporting the amendment put up by Mr Corbell.

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**MR OSBORNE (5.10):** Mr Rugendyke and I will be supporting Mr Corbell's amendment. It is a quite sensible one. It was an oversight on our part. The problem has been, Mr Speaker, that over the last couple of weeks the Labor Party has not been prepared to be involved in negotiations at all. Only after a number of hours of complaint about the system have its members finally had some positive input. I am quite willing to concede that what Mr Corbell argued was very sensible. It certainly was not my intention to see self-referral eliminated. We will be more than happy to support the amendment.

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

**MR OSBORNE (5.11):** Mr Speaker, it appears that the majority of members will be supporting these proposals. I would like to indicate that the new Minister for Health did mislead the Assembly for the first time today on this issue. I asked him for an apology on the issue of public accounts and the scrutiny of Bills. I thought it important that we - - -

**Mr Moore:** An oversight; thank you.

**MR OSBORNE:** I am very confident that we will have a very good and effective committee system in place.

Motions (**Mr Osborne's**), as amended, agreed to.

### **Membership**

**MR OSBORNE (5.12):** I ask for leave of the Assembly to move a motion appointing members to the standing and select committees.

Leave granted.

**MR OSBORNE:** I move the motion circulated today in the chamber in my name, which reads as follows:

That:

- (1) The Standing Committee for the Chief Minister's Portfolio be comprised of Mr Quinlan, Ms Tucker and one Member nominated by the Government to be notified in writing to the Speaker.
- (2) The Standing Committee on Health and Community Care be comprised of Mr Rugendyke, Mr Wood and one Member nominated by the Government to be notified in writing to the Speaker.

- (3) The Standing Committee on Justice and Community Safety be comprised of Mr Hargreaves, Mr Osborne and one Member nominated by the Government to be notified in writing to the Speaker.
- (4) The Standing Committee on Urban Services be comprised of Mr Berry, Mr Rugendyke and one Member nominated by the Government to be notified in writing to the Speaker.
- (5) The Standing Committee on Education be comprised of Mr Corbell, Ms Tucker and one Member nominated by the Government to be notified in writing to the Speaker.
- (6) The Speaker must receive the written nominations of Members by 2.00 p.m., Thursday, 30 April 1998.

The select committee on reform has not been identified in this motion. Perhaps that is something we could address by Thursday, Mr Speaker. The identity of the members of the Labor Party and the crossbenches is known. We are just waiting for the Government to notify you, Mr Speaker, as to who their nominations will be.

Question resolved in the affirmative.

### **UNCLAIMED MONEYS (AMENDMENT) BILL 1998**

**MS CARNELL** (Chief Minister and Treasurer) (5.13): Mr Speaker, I ask for leave to present the Unclaimed Moneys (Amendment) Bill 1998.

Leave granted.

**MS CARNELL:** Mr Speaker, I present the Unclaimed Moneys (Amendment) Bill 1998, together with its explanatory memorandum.

Title read by Clerk.

**MS CARNELL:** I move:

That this Bill be agreed to in principle.

Mr Speaker, I am pleased to present to the Legislative Assembly the Unclaimed Moneys (Amendment) Bill 1998. The Bill makes a number of necessary technical amendments to the Unclaimed Moneys Act 1950. These amendments arise out of recent issues related to unclaimed superannuation moneys. The first amendment provides that the eligibility for an age pension is to be defined in terms of the definition in the Commonwealth's Superannuation Industry (Supervision) Act 1993. This enables consistency with other

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States and is in accordance with the requirements of the abovementioned Commonwealth legislation. The second amendment establishes that the registered office of a superannuation fund is the basis for defining the jurisdiction to receive any unclaimed superannuation money and, therefore, removes the place of incorporation.

The Bill also incorporates a new part into the principal Act, that is, the receipt by the ACT of unclaimed moneys from retirement savings accounts, that is, RSAs. The Commonwealth in 1997 passed the Retirement Savings Account Act which enables the States and Territories to receive unclaimed money arising from the RSAs. Other jurisdictions have made or are to make similar legislative provisions. It is critical that this Bill is passed this week to enable the ACT to receive unclaimed superannuation moneys by the end of the month as required by the Insurance and Superannuation Commission. The Bill also makes a number of drafting improvements and updates to the principal Act, for example, with the regime of penalty units. I understand that if this Bill is not passed today those unclaimed moneys could be claimed by the ATO, the Australian Taxation Office. I am sure members would not like that to happen.

### **Declaration of Urgency**

**MS CARNELL:** I declare the Unclaimed Moneys (Amendment) Bill 1998 an urgent Bill.

Question put:

That the Bill be considered an urgent Bill.

Question resolved in the affirmative.

### **Allotment of Time**

Motion (by **Ms Carnell**) agreed to:

That the following times be allocated for consideration of the Unclaimed Moneys (Amendment) Bill 1998:

- (1) for the agreement in principle stage - until 5.30 p.m. this day; and
- (2) for the remaining stages - until 5.45 p.m. this day.

### **In-Principle Stage**

**MR QUINLAN (5.18):** Mr Speaker, I have had a short briefing on this matter. The ALP will support the Bill. From that briefing, I am reasonably assured that it is necessary to pass this legislation at this time. I do anticipate receiving a further briefing on the matter towards discovering the ultimate destination of the funds and a few of the other arrangements which the people who briefed me were not fully au fait with. I understand that there is further work to be done; but, as it stands, there is no objection to the Bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

### **INTERPRETATION (AMENDMENT) BILL 1998**

**MR HUMPHRIES** (Attorney-General, Minister for Justice and Community Safety and Minister Assisting the Treasurer) (5.19): Mr Speaker, I ask for leave to present the Interpretation (Amendment) Bill 1998.

Leave granted.

**MR HUMPHRIES:** I thank members. I present the Interpretation (Amendment) Bill 1998, together with its explanatory memorandum.

Title read by Clerk.

**MR HUMPHRIES:** I move:

That this Bill be agreed to in principle.

Mr Speaker, as members will be aware, this Government wishes to ensure that the Assembly performs its functions effectively. Since the election, considerable thought has been given to this requirement by us and other members. We have just dealt with a motion which restructures the committees of the Assembly. But that has some implications for statute law in the ACT.

One of the Assembly's functions is to scrutinise, through its committees, various matters that arise under ACT laws. In the past, when this has been considered necessary, a number of drafting techniques have been resorted to. For example, in section 25 of the Land (Planning and Environment) Act 1991, the Executive is required to refer a draft variation to the Territory Plan to "an appropriate committee of the Legislative Assembly".

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Similar references can be found in the Public Sector Management Act 1994 in relation to the appointment of the Clerk of the Legislative Assembly, and in the Financial Management Act 1996 in relation to the budget for the Assembly Secretariat. A formulation along these lines is obviously useful. It forces those who need to refer matters to the Assembly's committees to seek out the committees with the most relevant terms of reference. It is a flexible approach, in other words. However, this formulation has not always been found convenient or suitable.

A number of Acts and one regulation at least refer to an Assembly committee by name. I will mention only one of the references to a committee by name. Section 62B of the Children's Services Act provides that, where the Director of Family Services has directed that a child be transferred from one institution to another, the director is to advise the Standing Committee on Legal Affairs of the particulars of that direction. The committee is to be advised within 14 days of the direction having been given. Having the director provide those particulars to the committee is obviously an important safeguard on the use of powers that affect some of the most vulnerable members of our community. However, if there is not a Standing Committee on Legal Affairs - and there is not at this stage such a committee - then, as matters stand, the safeguard would be lost.

This outcome is something that must be guarded against. One way we could achieve this, of course, would be to leave the Assembly's committee structure untouched for all time. That, of course, is not a particularly good outcome, as the Assembly has just resolved. The Assembly must have the ability to form committees which suit the requirements of the day. That may mean that committees with new names or functions will be created and former committees will be discontinued because they no longer serve the Assembly's needs.

Mr Speaker, our ability to respond to the challenges of the day should not be constrained by references to committees in our laws, and our laws must be framed in a flexible way so that they do not act as an inadvertent brake on the discretion of the Assembly in future to shape its committee system to conform to contemporary needs. This Bill addresses this matter by including in the Interpretation Act 1967 a provision which will allow the Speaker to nominate a committee when there is no committee that answers the description that has been used in a law. If a particular committee referred to in a statute no longer exists, then the Speaker will determine which current committee of the Assembly is the appropriate functional successor of the abolished committee. I am sure members will see the wisdom of this, and I hope they will support this measure. It is a measure which needs to be in place, quite apart from the restructuring of committees of the Assembly which has occurred today. It is a sensible measure to have within our Interpretation Act at any time because there will always be the option for any particular Assembly, over time, to change the nature and the structure of its committees. In those circumstances, it should not be constrained by existing legislation which refers to a particular committee by name.

It is the Government's intention to bring this Bill back for debate on Thursday. I am normally very reluctant indeed to seek legislation's passage in such a short period of time; but, without the passage of the legislation by Thursday, the Assembly runs the risk that certain functions referred to in statute cannot be performed because the reference to committees which no longer exist cannot occur. For example, I understand that certain

transfers of prisoners under the Remand Centres Act need to be referred to the Legal Affairs Committee. If that committee does not exist, obviously the reference cannot occur, and the Assembly will not be informed of what is going on in a way in which it ought to be. In order to avoid that lack of accountability occurring, I would suggest that we need to deal with this matter by Thursday of this week. I am happy to supply briefings to any members who require them prior to that time.

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

## ADJOURNMENT

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

That the Assembly do now adjourn.

### **Gungahlin Town Centre - Road Network**

**MR CORBELL** (5.25): This evening, very briefly, I want to raise an issue of concern to residents in the growing area of Gungahlin in relation to the development of the Gungahlin Town Centre. The town centre is now reaching a stage where it will shortly, after many months - indeed, years - of waiting, have a supermarket and what is to be known as a Woolworths marketplace complex similar to the marketplace that opened in Tuggeranong a short time ago. The concern that many residents of Gungahlin have in relation to the opening of the new town centre is in relation to the road network in that area. The road network currently focuses on only one entrance to the town centre. This entrance is well away from one of the largest population centres in the area; that is, the suburb of Palmerston. Indeed, to reach the town centre currently, Palmerston residents will have to travel a reasonable distance along Gungahlin Drive before turning into what I believe is called Northern Boulevard to reach the new Woolworths supermarket complex.

I raise this issue because members of the Gungahlin Community Council, as well as members of the community itself, have approached me in relation to the development of a very important road link which would greatly improve the access of residents from Palmerston to the new town centre site; that is, the development of the road which is notionally called Southern Boulevard. This would allow a connection directly from Palmerston across Gungahlin Drive into the town centre complex and would allow access to the new town centre and to the supermarket, which will be larger, for instance, than the supermarket that currently exists at Dickson, where most Gungahlin residents shop if they do not shop at Belconnen. It will allow access to this new supermarket and associated stores when the town centre opens.

Unfortunately, it would appear that at the moment there is no money set aside in the current budget or indeed in the capital works program for the development of this road link.

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**Mr Humphries:** How do you know that?

**MR CORBELL:** Because that is what your officers have told me, Mr Humphries. It is quite clear that the Government does have an opportunity to revise some of its programming in the capital works budget so that provision can be made for the development of this road in the coming financial year. It would be a significant transport link between Palmerston and the town centre and would certainly make the town centre itself a more viable and effective area for people to shop and to use if they were able to connect directly. I would urge the Government to seriously consider this proposal. The future of the development of Gungahlin at the moment is an issue of great concern to the people who live there, and I think they would want to see an effective transport link in place before that facility opens or, if that is not now possible, certainly as soon as it can reasonably be done.

Mr Speaker, on a final note: The Gungahlin Development Authority currently has responsibility for the development of this area, but the Gungahlin Development Authority has informed me that it has no available funds for the development of Southern Boulevard. I find that concerning. I find it concerning that the provision of what most people in our community would regard as basic community infrastructure is not able to be funded because the Gungahlin Development Authority itself has not been able to raise funds through land sales and other sources of revenue, as it is required to do under its Act. So, Mr Speaker, I would urge the Government to seriously consider the provision of Southern Boulevard in the coming financial year - certainly, no later than the year after that town centre opens - because it will be an important link. Without it, there will be significant traffic problems into the town centre. Indeed, I would argue that it will be a disincentive for many people in Gungahlin to use that town centre marketplace area.

#### **Motel Site - Belconnen**

**MR HIRD (5.29):** Mr Speaker, I wish to inform the house that, at a recent auction undertaken by Urban Services, a site for a motel convention centre in Belconnen, in close proximity to what are known as the Belconnen fruit and vegetable markets, was sold. It is adjacent to Benjamin Way and Belconnen Way. The bed capacity of the motel convention centre is 50, which raises the capacity for the 100,000 population in the Belconnen-Hall area to approximately 140. I note that Tuggeranong, in the electorate of Brindabella, has a motel which has 160 beds. The information I am bringing to members is the fact that the AHA, the Australian Hotels Association, have taken a particular interest in this project. I wonder why.

**MR SPEAKER:** Order! It being 5.30 pm, in accordance with standing order 34, the Assembly stands adjourned.

**Assembly adjourned at 5.30 pm**