DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

20 November 2002

Wednesday, 20 November 2002

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The Assembly met at 10.30 am.

(Quorum formed.)

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

Public Place Names Amendment Bill 2002

Ms Dundas, pursuant to notice, presented the bill.

Title read by Clerk.

MS DUNDAS (10.33): I move:

> That this bill be agreed to in principle.

Last week the Assembly supported a motion to amend the disallowable instrument that named 19 new streets in Gungahlin. This bill flows on from that motion to amend the act governing place naming. If this bill is supported, there should be no need for future disallowance motions to redress gender imbalances in place naming.

The Public Place Names Act focuses on the commemoration of people who contributed to exploration, navigation, pioneering, colonisation, administration, politics, education, science or letters. All of these fields, with the exception of pioneering and more recently education, are areas that are strongly male dominated. Therefore, it is no surprise that a relatively small proportion of new place names have recognised women.

As I have said before, Canberra's schoolchildren learn about the origin of place names in the area where they grow up. If they learn that all the places around them are named after men, they get the impression that women played no worthy role in our history.

Girls need role models to help them achieve their potential. They need to know that women who have gone before them have challenged stereotypes and succeeded in male-dominated fields; that it is possible to make a difference. But we also need to re-evaluate what is seen as an achievement worthy of recognition.

Women are more difficult to find than men in our historical records, because the contribution of women was usually valued less than the contribution of men. For example, patriarchal societies have determined that being an outstanding surveyor means you are more worthy of commemoration in the historical records than being an outstanding postmistress. That does not mean that women have not contributed in all areas of history.

If you look hard, you will see that the names of many women have been recorded for their contributions in predominantly male fields of endeavour. Because history books have been written mainly by men, they have tended to choose to record male

achievements ahead of female achievements because of their preconceptions that any women taking part in history were assumed to have been in a lowly supporting role. We know that this is not the case.

Throughout history women have provided an outstanding contribution to all fields of endeavour. We need to consider broadening the fields of endeavour deemed worthy of recognition so that we are not focusing just on the areas in which males have dominated over history. If we did this, then even more female candidates could be identified as worthy of recognition in our place names.

Following my initial disallowance motion for the Gungahlin street names, the minister directed the public place names committee to focus more on achieving gender balance in place naming. I have been informed the committee is to take on a new research officer charged with this task. I hope that they will be able to go back to primary sources to help identify the women who so far have been left out of our history.

I commend the minister for taking action to tackle this problem, but I do not want the gender balance in place naming to be left up to the personal commitment of the minister of the day. We may in future have a minister who is not so concerned with achieving equal rights and recognition for both men and women. I hope that does not occur, but it is a possibility.

This bill makes sure that gender balance will always be considered when streets and places are named.

Some may argue that if we are going to have special consideration of women then we need special consideration of other groups in our society. I have thought about this but found that there is already representation of many of the cultural groups that have contributed to Australia's and Canberra's history. It appears that only women are left out. Women come from every cultural background, so I do not think that recognising them is a slight to any group in our community.

I was very pleased that the Assembly unanimously supported the motion presented last week to amend four street names in Gungahlin. I hope that the Assembly will unanimously support this new law, which would prevent the need for future amendments to disallowable instruments naming places in the ACT. ACT women and men of the future will thank us for helping to build a society founded on equality.

Debate (on motion by **Mr Corbell**) adjourned to the next sitting.

Litter Amendment Bill 2002

Ms Tucker, pursuant to notice, presented the bill.

Title read by Clerk.

MS TUCKER (10.39): I move:

> That this bill be agreed to in principle.

This bill addresses the huge amount of unsolicited advertising material that is placed in letterboxes every day, or what is more colloquially known as junk mail. Much of this material is discarded without serving any purpose so can be regarded as a major waste of paper and a waste of the trees from which the paper was produced. Some of this material is not inserted properly in letterboxes and ends up blowing away and becoming litter. Many people find the filling up of their letterboxes with material that is neither requested nor wanted to be a nuisance. The widespread use of "no junk mail" stickers and the like is an indication that a significant proportion of the community do not like junk mail.

There are two types of junk mail. Firstly, there is the addressed but unsolicited mail delivered by Australia Post containing advertising material from companies that somehow get hold of people's address details. Secondly, there is the unaddressed material, usually just catalogues or flyers, that is distributed by private direct marketing companies or even directly by the advertiser.

As the Commonwealth government has jurisdiction over postal services, the first category of junk mail is outside the Assembly's control. However, we can do something about the second category of unaddressed advertising material delivered to letterboxes independently of Australia Post.

This bill was prompted by work done in New South Wales on junk mail earlier this year. As part of its waste management reforms, the New South Wales government agreed to examine control of the delivery of junk mail, and the New South Wales Environment Protection Authority released a discussion paper to stimulate stakeholder comment. The paper noted that generally state governments rely on the direct marketing industry undertaking self-regulation.

The Australian Catalogue Association, which claims that its members, print and distribute some 80 per cent of all unaddressed mail in Australia, have in place an industry code of practice relating to unsolicited advertising material, a code which is administered by the Distribution Standards Board. The code provides, among other things, that advertising material not be placed in letterboxes which display a sign refusing such material. The board will receive complaints from the public if advertising material is placed in letterboxes with "no junk mail" stickers and contact the company concerned.

This system assumes that the public know about the Distribution Standards Board and how to contact them, and that the offending company is a signatory to this code of practice. From my experience, the worst offenders are local businesses that often undertake their own letterboxing rather than the big distribution companies. An industry code of practice is not going to be effective if the industry is not cohesive or if companies believe they will suffer no sanctions by not following the rules.

The other problem with having a self-regulating system is that there will be disagreements over what exactly is junk mail, particularly where the material is not obviously advertising the sale of products or services. What one organisation thinks is important information that everyone should know about can, to the householder, be just mail that should not be in their letterbox.

An example that members here should be familiar with is the letterboxing of leaflets from candidates during election campaigns. Every election time there are complaints from people who object to campaign material being put in their "no junk mail" letterbox, particularly if it is from a party or candidate they do not like.

The stakeholder response to the EPA discussion paper was predictably varied, although it would be fair to say that there was a general acceptance that junk mail could not be totally stopped. Interestingly, the discussion paper notes that the USA has the strongest controls on junk mail. Its postal law allows only properly stamped mail to be put in letterboxes. This does not eliminate unsolicited material but acts as a deterrent. The New South Wales EPA concluded that the implementation of legislation to control junk mail would be too complicated, particularly as the state government would need to rely on the range of local governments in New South Wales to enforce these controls.

There was, however, a general acceptance by stakeholders that people who do not wish to receive this material should not have it forced upon them, hence the importance of making junk mail distributors take notice of "no junk mail" signs. New South Wales favoured the maintenance of industry self-regulation but, as I indicated earlier, this does not eliminate the problems of junk mail being placed where it is not wanted.

The ACT does not have the problem of New South Wales in having two different levels of government. The nature of our territory government allows us to have a more simplified approach to regulation. I therefore believe that my legislation is warranted and workable. It can be compared with the Legislative Assembly's action in the past to ban advertising material from being placed under car windscreen wipers because of its unsolicited and wasteful nature.

My bill primarily sets up a new offence if a person deposits unsolicited advertising material in a mail or newspaper receptacle where there is an easily read sign to the effect that unsolicited advertising mail is not to be deposited there. The penalty is similar to the penalties that apply to littering offences. Not only the person who put the junk mail in the wrong letterbox would be liable but also the company that employed or commissioned them, unless they could demonstrate that they took reasonable action to stop the law from being broken—for example, by having a clear company policy that junk mail was not to be distributed in "no junk mail" letterboxes.

The bill also clearly defines junk mail and provides a range of exclusions, such as public notices from government agencies, charities and community associations, and election campaign material. Some people may disagree with my exclusions. However, in living in a democracy we have both rights and obligations. I think the distribution of information about opportunities to be involved in community-building activities and the political process is very important and not something that people can simply opt out of.

The bill also contains some associated offences to prevent junk mail distributors from getting around the primary offence. For example, there is a new offence of placing junk mail on premises other than in a letterbox. So junk mail cannot be just left on the doorstep or in a driveway.

My bill does not affect those junk mail distributors and their employees who already act responsibly and heed the requests of householders who do not wish to receive such material. It will, however, put a stop to those businesses that think they can ignore "no junk mail" stickers when they are distributing advertising material.

Debate (on motion by **Mr Corbell**) adjourned to the next sitting.

Legislative Assembly (Broadcasting) Amendment Bill 2002

Mr Berry, pursuant to notice, presented the bill.

Title read by Clerk.

MR BERRY (10.47): I move:

> That this bill be agreed to in principle.

Over the last year I have examined issues around the broadcasting and reporting of the Assembly. This included issuing guidelines under the Legislative Assembly (Broadcasting) Act 2001. I have also consulted with community media outlets in Canberra about access to relaying the proceedings of the Assembly. One community radio station has indicated an interest in broadcasting Assembly question time, and I am keen that this should occur.

We in the ACT Legislative Assembly are not always loved by the community we serve, but many do not understand the level and complexity of the work we do, so I see it as my role as Speaker to improve knowledge in the community about members and the work they do.

In examining the proposal, I have discovered a problem with the Legislative Assembly (Broadcasting) Act 2001. The Assembly is unable to provide for access to recording and transmission services. To remedy this I am proposing a minor amendment to the act to facilitate the granting of access by the Speaker to the recording and transmission of Assembly proceedings. The direction to grant access is to be in writing and must be tabled in the Assembly. It is a disallowable instrument.

As I said, this is a simple bill which will help in the promotion of the Assembly to our constituents. I seek members' support for its passage.

Debate (on motion by **Mr Stanhope**) adjourned to the next sitting.

Legislative Assembly Precincts Amendment Bill 2002

Mr Berry, pursuant to notice, presented the bill and its explanatory memorandum.

Title read by Clerk.

MR BERRY (10.49): I move:

> That this bill be agreed to in principle.

Earlier this year I was advised of a problem with the Legislative Assembly Precincts Act 2001. The act defines the premises included in the Assembly precincts, makes the Speaker responsible for the control and management of the precincts subject to Assembly directions, and also allows under section 9 for the Speaker to direct a person who is not a member either to leave the precincts or not to enter them.

The act provides that the Speaker may use any necessary and reasonable force and assistance to remove or exclude a person from Assembly precincts. I am happy to say that this is a necessary but rarely used provision of the act. It has a bit of an ominous ring when it says the Speaker may use any necessary and reasonable force. I trust that I am never called upon to do that. That is why there is a need for delegation. This power allows me to direct staff members such as the Clerk or attendants to remove or exclude someone from the precincts. Staff acting under such a direction have immunity provided under the act against civil or criminal liability, provided they are acting honestly and without negligence.

The problem identified is that my power as Speaker cannot be delegated to anyone else. This means that if I am not in the building the power cannot be exercised. I must either give a direction to a person myself or direct a staff member to act. The bill I present today corrects the problem by allowing me to delegate the powers of section 9 to the Assembly's Serjeant-at-Arms or the Principal Attendant. This is a simple and practical amendment which solves a potential problem. I urge members to support the bill.

Debate (on motion by **Mr Stanhope**) adjourned to the next sitting.

Full retail competition

MR CORNWELL (10.51): I move:

> That this Assembly:
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> (1) calls upon the ACT Government to prepare a proposal to address the impact of Full Retail Competition (FRC) on ACT low-income earners, pensioners and self-funded retirees for electricity consumption following the introduction of FRC on 1 March 2003; and
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> (2) details of the proposal to address the impact of FRC on these groups be made available to this Assembly in the first sitting week of 2003.

In announcing the introduction of full retail contestability for electricity from 1 March 2003, the Treasurer gave an undertaking to "increase electricity rebate for pensioners and other relevant beneficiaries to reflect percentage increase in their bills". The Treasurer, however, went on to admit that it was "difficult to ensure poor people would not be worse off initially". I welcome the commitment, but I believe that the comments have not gone far enough. Therefore, I would like to see the intervention of the Assembly by way of the motion I have moved.

The problem, as I see it, is twofold. It is unclear who specifically will be helped. I have identified three groups of people I believe need to be helped. We need to assist low-income earners, pensioners and self-funded retirees. The second problem is that we do

not know the extent of the financial help that is required. This matter has been debated and canvassed in this place on a number of occasions. Mr Quinlan quoted $1.92 as a possible increase per month and went on to say it could rise to $3.25 per month. Actew themselves quoted $12 per month. The ICRC, in a draft report in May of this year, quoted an increase of $2 per month and, in their final report in July of this year, only two months later, quoted $6 per month. You can understand the confusion, therefore, that prevails at this point. I would remind you that we are only four months away from the introduction of full retail contestability.

Whilst in the eyes of many people the amount may not appear a great deal, I submit that, whatever the extra cost, the amount to people on low or fixed incomes is quite significant. Let us take an average. Let us say it is $6 per month. That is $72 per year. To people in this Assembly, an extra $72 per year may not amount to a great deal of money. However, it does to people on low or fixed incomes. Secondly, this amount is not evenly distributed over 12 months of the year. In winter, in this cold climate, those costs will rise. That will put an extra impost upon people on low or fixed incomes when the bill arrives.

The Commonwealth Department of Family and Community Services estimates that the average electricity expenditure of income support recipients is approximately $850 per year. Whatever figure you wish to place on it, clearly the introduction of FRC is going to increase that impost.

The other problem we face is that, whilst the Treasurer has said that this extra cost will apply for three years, we have no guarantee that that is going to be the case. What happens over the next three years after its introduction if things have not worked out as hoped and the new government in this place, which will of course be a Liberal government, Mr Humphries, is faced with the predicament of extending these additional costs? We cannot guarantee that this will last only for three years. Therefore, we need to do something to protect the low-income and fixed income people of this city.

The introduction of this full retail contestability saw the ACT receive from the Commonwealth, as part of the national competition policy, $11.6 million in 2001-02. I understand the ACT will receive a similar amount this financial year. I do not believe that the government of the day should necessarily put that in its hip pocket and use it for other things. I believe that some of that money should be directed to assisting people on low or fixed incomes to pay the increased costs for electricity.

I do not have any suggestions as to how this could be done, but it does occur to me that, rather than a cash amount, it might be better to institute a percentage rebate. That may be easier to handle, but I am no expert in this and I would be happy to leave it to the financial experts to organise.

The motion does not call for the government to do anything special. I am asking them to prepare a proposal to address the impact of FRC on ACT low-income earners, pensioners and self-funded retirees. I am not laying down hard and fast conditions. However, I have asked for one thing to be done, and that is that details of the proposal they prepare to address the impact of FRC be made available to this Assembly in the first sitting week of 2003. That date is quite intentional. It is before 1 March, when FRC will be introduced.

I believe that the Assembly should have a look at what the government proposes to assist low and fixed income people in this territory in relation to the introduction of the FRC for electricity.

I commend the motion to the house.

MS DUNDAS (11.01): I commend Mr Cornwell for this motion, which I support wholeheartedly. During estimates hearings I questioned the minister on why full retail contestability was likely to occur when it clearly would not be in the interests of the majority of ACT residents who use relatively small amounts of electricity.

It was clear then, as it is clear now, that full retail contestability was unsound on both social and environmental grounds. Yet the government has gone ahead and committed to a system that will punish the poor and reward those who contribute to global warming and air pollution by using large amounts of electricity.

In the estimates hearings in July, I asked the Treasurer whether he could guarantee that low-income people would not be worse off after full retail contestability in electricity was introduced. The Treasurer acknowledged that electricity is an essential service but claimed that the government could not guarantee that low-income people would not be worse off as a result of competition being introduced.

I have since then publicly urged the Treasurer to reconsider the push for full retail contestability. Under national competition policy there is a public interest exemption that could have been used in this instance. I am disappointed that he has chosen to go ahead with all competition rather than use this exemption.

However, I am even more disappointed and concerned that we have not been informed of any government plans to compensate low-income earners for hikes in electricity bills. Back in July, when I was asking the Treasurer all these questions about full retail contestability, I also asked what measures he was planning to adopt to keep electricity affordable to low-income households. The best he could come up with was that he was "thinking" about strategies. That was six months after the ICRC released its report which drew attention to the fact that low-income earners would suffer from high supply charges. Five months on, it seems that Mr Quinlan has not got much further with his thinking, and we are only months away from the target date for introduction of full retail contestability. So this motion is quite timely, and hopefully it will direct the minister's thinking.

The government currently operates a subsidy program for low-income people and could have made a commitment to broaden the current subsidies in order to cover rising electricity bills when the expected hike in supply charges occurs. I was concerned in July, as I still am now, that there was no increase in budget funding to meet the increased cost of compensation for those on low incomes.

I believe that the community should be given an opportunity to consider and comment upon proposed measures to assist low-income households hit by rising power bills. But when the government has not yet developed any options and it is already November, it is hard to see that enough time has been allowed to properly evaluate the impacts or possible solutions.

Having this report prepared and a proposal put to the Assembly in the first sitting week in February hopefully will allow some community involvement in this debate and some ideas to be discussed about how we can support those who will suffer under full retail contestability.

I hope this motion finally gets the government to release its proposal for compensation, if they already have one, so that it can be scrutinised in detail by the affected people and by those who represent them.

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (11.04): Mr Cornwell has included self-funded retirees in his motion. I wonder whether he is planning to become one soon. In general, the government would treat people according to their means, not their classification. We have already made statements in public regarding what might need to happen with the Essential Services Review Committee and the support that is necessary.

I have stated a number of times in this place that there is a high probability that the structure of electricity charges will change, and it will affect people. Electricity is one of the essential commodities households receive. There is a fundamental question as to how far the government can go. I think Ms Dundas was talking about a subsidy. At this stage we are not in large part involved in subsidy. Certainly there are budget-funded concessions that are applied. There is no question but that this issue would impact upon the provision of those government-funded concessions. They are going to be more difficult to administer when and if full retail contestability takes off, when there is churn in the market and when there are multiple suppliers in the territory. That will create a distinct problem.

You have to remember that this stage is the final stage of the electricity industry deregulation. That is not something I have every supported personally, but it has gone past the point of no return. Within the electricity supply industry, considerable savings have been wrought in operational costs. What that means in the long term for the degree of maintenance and reliability of our electricity supply I guess only time will tell. There is always a tendency for a profit-driven process to use up the fat in the organisation. “Fat” becomes a bad word. “Redundancy” becomes an abhorrent term, and industries such as the electricity supply industry would run as close as is possible at the margin.

Electricity is an essential service. In the past there was considerable redundancy across Australia, at a cost. Nevertheless, you do not miss your water until your well runs dry. Electricity is one of those things we take for granted until it is unreliable. You can garnish this debate today with the prospect of terrorist attacks aimed at core infrastructure of the community. It might be that we will wish for days of yore when we did have redundancy. Nevertheless, this is the last stage in the deregulation of the electricity industry. This is the stage which in the longer term promises the benefits of competition to the consumer.

I am not prepared to guarantee that electricity deregulation will work. I have always harboured my doubts. But to try to stop the creek at this stage would be futile, and in all probability—and that is all I can give the Assembly—in the longer term the consumer

will benefit from having multiple suppliers. As I mentioned yesterday, as many as 13 could supply into the ACT market. Whether they all supply into this market, whether they all supply aggressively, whether they all continue even to bother with the retail residential market or the low end of the retail residential market we do not know.

I am quite happy to accept this motion. When we bring down the plans and the structures we will put in place—we have already telegraphed most of them anyway—there is no guarantee that they will not have to be manipulated to protect low-income earners and pensioners to ensure that they have access to this essential service.

The situation is outside the control of the ACT. The level of cost to the ACT of electricity is now beyond our control. It will be a function of market forces. If the Parer report which was brought down recently is adopted, then there will be total deregulation. There will be no such thing as state bodies in electricity supply.

I think the Parer report has got a long way to go before it is adopted by states, particularly states like Queensland. We might find New South Wales grasping it now, because they have already tried to privatise their generation capacity before and have been held back by the Labor Party and its annual conferences.

We cannot give guarantees, but we can say that we have an expert opinion. I have had the ICRC go through the first-level cut to make sure that we picked up. As I stated yesterday, we were behind the eight ball in timing. To make this decision one way or the other, we acted promptly. We had an early report from the ICRC. We now have a public report from the ICRC. They have conducted a public interest test, as was mentioned by Ms Dundas, and they have said that it does pass the public interest test. That is no longer an issue in this debate.

I close by recommending to Mr Cornwell that he read pages 7 and 8 of this report carefully. You will meander from $6 down to $3.25, happily. The only other figure you mentioned was the Actew figure of $12. That was their ambit claim. That was the claim they made on the ICRC, and they did not get very far with that level. I think it is true to say that ActewAGL have indicated that they might prefer to remain a monopoly in the ACT as long as it does not apply to their activities outside the ACT. In terms of market access, it is a bit of having their cake and eating it too.

As I have said to this Assembly on several occasions, on balance, on the advice of the ICRC, the government has adopted the recommendations of the ICRC. If you read its report, you will see that it makes insufficient reference but some reference to what might be done for those people who strike difficulty in meeting their power bills. Certainly the government will take that on board. The government will happily come back to this place with the overall structure. Instructions have already been issued to the ICRC as to the education campaign that is necessary and that they themselves have indicated is necessary. That will happen. That is under way. The completed picture will be brought back to the Assembly.

MS TUCKER (11.14): The government announced in October that full retail competition in the electricity sector will commence on 1 October, following a report by the Independent Competition and Regulatory Commission released in the middle of this year.

Until now, households and many small businesses have been supplied with electricity by ActewAGL only, with large customers being able to seek other electricity suppliers through the national electricity market. With the opening up of the market, I understand that electricity consumers will be able to choose from 13 electricity retailers licensed to operate in the ACT.

It seems that the only reason we are doing this is to fulfil our obligations under the national competition policy. The ICRC found that there is no short-term quantifiable net benefit arising from full retail contestability but that there would be an increase in the overall cost of electricity of between 7 and 9 per cent. There will be increased costs in running the new administrative systems, to allow people to switch between supplies. Individual retailers are also likely to increase their marketing costs to get market share, which costs would ultimately be passed on to consumers.

In theory, there should be long-term benefits to consumers in having more responsive electricity supplies and a greater range of services to choose from, but the benefits are hard to quantify. While having retail contestability for electricity may be okay for commercial users already working within a competitive market-driven environment, you have to question whether this is appropriate for household users.

It has to be remembered that electricity is an essential service that is contributing to the wellbeing of ordinary people. We all need to have lighting, hot water, stoves, refrigerators and heating in our homes. For many people, the only source for this is electricity. We need to make sure that the most vulnerable people in our society are not put in a worse situation by the introduction of full retail contestability.

Larger and/or more educated customers may be able to work out the best deals and may experience some price reductions, as they will have greater bargaining power. The experience from other states is that only a small proportion of customers have moved into the open market. However, small consumers will pay relatively more in their total electricity bills than large consumers. The ICRC expects that full retail contestability would put some additional pressure on services such as the Essential Services Consumer Council.

I note from the minister's statement yesterday that the government recognises that there is a need to protect smaller users who are not in a position to evaluate offers from different suppliers or who may not receive any offers from other suppliers because they are regarded as a risky or low-priority customer.

The minister said that there will be a transitional period of three years in which customers will be able to continue to be supplied by ActewAGL at a regulated price. The Greens fully support this arrangement but believe that we should not be placing an arbitrary limit on this transitional period. It should not cease until the new market arrangements have been proved to have a positive public benefit and we are assured that disadvantaged people are adequately protected.

We also believe that during this transitional period people who have moved away from ActewAGL and taken up a new electricity supplier should be able to move back to a regulated contract with ActewAGL if they are unhappy with their new supplier. People

with little experience in seeking out electricity suppliers may end up with a deal that does not suit their needs or ends up being more expensive than the regulated rate. It would be unfair to force these people to stay in this disadvantaged situation.

It is also important that there be an extensive public education campaign on the new electricity market, not just before the market starts but also afterwards, so that people are aware of the options available to them to move into the market or to stay or move back on to a regulated contract with ActewAGL if they run into problems.

Mr Cornwell's motion has in some ways been upstaged by Mr Quinlan's statement yesterday, but it is still a relevant motion and deserves support. If the government does all the things it said it would do for low-income earners in the new electricity market, then it should not have many problems in fulfilling the terms of this motion. I would hope that the proposal Mr Cornwell's motion calls for from the government to address the impact on low-income earners will provide more detail than was contained in the minister's statement yesterday.

MR HUMPHRIES (Leader of the Opposition) (11.19): This debate has become a debate about whether full retail contestability or competition is a good thing. It is important to concentrate on a couple of elements of that if we are to look at compensation mechanisms or concessions. The question has been much debated not just in the context of this reform but in the context of all reforms that have been put in place in the last seven years following the agreement in 1994 to have a national competition policy.

We obviously are getting to the tougher end of the competition policy cycle where the decisions become a bit more difficult, in that the costs to the government or to the consumer are potentially higher, at least in the short term, and the benefits might be further down the track. When we are talking about things like electricity supply, these are major overheads that all consumers have to meet, whether they are domestic users, businesses or community organisations. Everybody has to pay for electricity. We all have to use it. If there is potential for cheaper electricity by virtue of reform, then clearly we must look at providing that kind of opportunity for reduction.

We need to acknowledge that the Independent Competition and Regulatory Commission has examined this issue on behalf of the territory community, assessed the benefits of FRC and determined that there are benefits potentially available to the community. It said in its report produced in July:

> The Commission believes that FRC will produce a range of benefits but notes that they are diffuse, long term and difficult to quantify.

I would agree with that. What is not so difficult to quantify is the short-term problem. The Treasurer has acknowledged today and previously in the media that the poor will initially almost certainly be worse off as the result of an open electricity market. The costs have been variously quoted at between $2 and $12 a month.

In acknowledgment of this, the government has quite appropriately said that it will ensure that a safety net operates; that it will provide for concessions through the Essential Services Consumer Council for customers identified as suffering hardship. It has also said in a statement the minister made on 10 October:

> The government will also increase the electricity rebate for pensioners and other relevant beneficiaries to reflect the percentage increase in their bills.

I welcome that statement by the Treasurer. It provides a pretty clear indication that the government is prepared to act. The motion Mr Cornwell has moved today clarifies where the Assembly would expect that kind of action to extend to. In defining who relevant beneficiaries are, Mr Cornwell makes it clear that he is talking about low-income earners in general and self-funded retirees, a class of people who are sometimes not included among people who are suffering hardship. But when overheads increase, obviously those on fixed incomes have limited capacity to find additional resources to meet those sorts of bills.

When other major infrastructure or structural changes have been announced in Australian public life in the last 10 years, they have generally been accompanied by mechanisms to offset short-term and medium-term effects on those who are disadvantaged by those reforms. An example is the introduction of the goods and services tax three or four years ago, when a very elaborate raft of measures was provided to assist those on low incomes. It is generally acknowledged that those measures did blunt very substantially, if not entirely, the effect of the goods and services tax.

At the present time the federal government is debating in the public arena what mechanisms should be put in place to offset the full sale of Telstra—measures which focus on upgrading telecommunications, particularly in regional and rural areas.

The ACT had its own debate a couple of years ago with respect to the deregulation of the milk vending industry, when the monopoly arrangements that were previously in place were dismantled. There were not any compensating mechanisms for consumers in those arrangements, quite appropriately since the price of milk fell and consumers got cheaper milk almost immediately as a result of the changes. But certainly compensation mechanisms were put in place to deal with vendors, particularly home vendors, who had monopolies previously at their disposal withdrawn. I think those mechanisms have worked out in the end, but it was important to have cash compensation for those who previously had a lucrative concession available to them for the sale of milk.

A critical issue in respect of full retail contestability—this a matter that was raised in the report—is the metering of electricity usage. There are two options for that. One is deemed profiling, by which providers determine a profile of usage for classes of consumers in order to assist in forecasting load requirements and meters are read at regular intervals—say, each month or each quarter. The other is full metering, whereby a lot of new infrastructure has to be installed, obviously at a cost that ultimately is borne by consumers, but the outcome is a more accurate reflection of actual electricity usage.

I note that in the *Canberra Time* a few weeks ago Ms Tucker said that people on low incomes who used a small amount of electricity would be most disadvantaged by the proposed shift to retail contestability. I assume that was a reference to the fact that if a deemed metering process is used perhaps their small usage will not be properly reflective of that. I would think that for smaller consumers in general the retention of the status quo for metering is probably appropriate, but that is a matter for the process to fully reconcile and work out.

Another key activity associated with FRC is to ensure that the community has the best possible information available to it on how to take advantage of the fact that there will be more than one electricity supplier. We are not used to the idea of shopping around for electricity. Many people will perhaps continue an arrangement with ActewAGL without fully appreciating that they will have options. Others will be confused about what the choices mean.

An essential element of this process has to be good-quality education by ActewAGL perhaps but certainly engineered and organised by the government to some degree to ensure that consumers are properly educated about what their options might be. But at the end of the day there have to be mechanisms to provide a safety net for the consumers. That is vital for those on low incomes.

The price rise, as we have said, is not entirely clear but could be, on these estimates, at least $3 a month. It could be as high as $12. The government talks in the minister's media release about increasing benefits to reflect the percentage increase in their bills. I do not know whether that is the minister saying that if bills are shown to rise by 5 per cent there will be an increase in benefits of 5 per cent across the board or whether individual consumers will be compensated. But I take it that the government is prepared to approach the question of full compensation, at least on a short-term basis.

This is a measure which is hopefully going to produce long-term benefits, and you would not expect compensation measures to be in place in the long term if that happens.

I think this is a reasonable policy. I think it will produce important benefits to the community. It is a test we have to undertake, but it is also important that we take measures of the kind Mr Cornwell's motion has suggested. This motion is properly supported by the house today to ensure that in the long term all enjoy the benefits of this policy's application.

MR CORNWELL (11.28), in reply: I thank members of the Assembly for their supportive comments. I thank the government for accepting the motion, and I look forward, as I am sure other members do, to a proposal coming forward from the government at our first meeting in 2003.

Question resolved in the affirmative.

Textile, clothing and footwear industries—mandatory code of practice

MS GALLAGHER (11.29): I move:

> That this Assembly recognises that:
>
> (1) exploitation of outworkers employed in the manufacture of textile, clothing and footwear products in Australia is an issue for all jurisdictions to address;
>
> (2) outworkers are one of the most exploited groups in the Australian labour market receiving an average wage of $3.60 an hour;
>
> (3) consumers have inadequate information on the conditions under which their textile, clothing and footwear products are manufactured.
>
> Furthermore, the ACT Legislative Assembly calls on the ACT Government to:
>
> (4) implement a mandatory Code of Practice for Retailers in the ACT to ensure corporate transparency in relation to textile, clothing and footwear contracts;
>
> (5) establish a Fair Trading Code Administration Committee to oversee the Code of Practice;
>
> (6) amend the *Occupational Health and Safety Act (1989)* and Occupational Health and Safety Regulations, to ensure jurisdictional consistency for outworkers; and
>
> (7) move to ethically source all ACT Government textile, clothing and footwear contracts through the government procurement process.

The motion I have moved today concerns a group of Australia's most exploited workers—textile and clothing outworkers. An outworker is someone who operates from home, most often for terrible wages in unsafe environments, to produce or alter the goods we wear.

When one of us here puts on a pair of shoes, we hardly ever ask the questions: where did this product come from and who manufactured it? If we did ask these questions, we would often be appalled by the answers.

I would like to recount the story of an outworker family here in Australia:

> Since the age of 11 or rather since coming to Australia, which was seven years ago, I helped my parents with the work. We all did. As a little girl I helped with minor tasks such as ironing of the facings, sewing simple hems and lines etc. However, since 1994, when my older sister started Year 12, I had to step in and take her place at the sewing machine. This means doing everything from sewing hems on dresses to collars on shirts to finishing the whole garment.
>
> There were days when the work was needed urgently. My parents would stay up all night and I had to get up at 5am in the morning to sew until it was time to go to school. Those days I used to do my homework during recesses and lunch at school because there was simply no time to do it at home.
>
> Being an outworker family there is no time off, no holidays. We work every day of the week, every week of the year. Even now, a day away from our New Year, there is work to be done at home.

> Being a daughter in a working family means devoting free time to help with the work. Children of outworker families do not have much freedom or time to go out as often as children of normal families. On weekends when I want to go out with friends I have to check whether there is work needed doing at home. If there is, I'd have to stay at home to do it.

In Australia today, there are an estimated 329,000 outworkers employed in the manufacturing of material, the sewing of garments, the altering of fashion labels, the stitching of sneakers and the embroidery of clothing. They are not low-skilled workers, many having extensive experience in the industry. Despite their numbers, outworkers and the practice of outwork remain hidden from public view and often hidden from public criticism.

One of the numerous reports on the industry, the report of the New South Wales pay equity inquiry, found that outworkers are treated oppressively in their ordinary working lives and exploited in both the payment received and the conditions of work. The circumstances of their work are disgraceful.

Under the federal award, an outworker is supposed to receive the same rate of pay as a factory worker. The rates vary, but a good indication of the award standard is $12.38 per hour for a mid-skilled worker and $14.91 for a high-skilled worker. Outworkers have a legal right to these rates of pay. The award standard recognises their skill, the arduous nature of their work and the significant health and safety risks they take by being employed in clothing production.

Disgracefully, the norm for outworkers is that these conditions are not often met and not often enforced. Evidence suggests that outworkers receive, on average, just $3.60 per hour and some receive as little as 50c per hour. Evidence would also indicate that non-compliance is the norm rather than the exception in this industry.

These people are not unskilled workers. They are professional tailors and machinists. Working against them are their backgrounds and their gender. The vast majority of outworkers are new to this country. They often have poor English skills, and they are most often firmly disadvantaged in employment, family income and access to capital.

They are also overwhelmingly women, and sexual harassment is an issue in the industry. There is also evidence that children are involved in this industry, some as young as seven years old. Michael Quinlan, from the University of New South Wales, says 7 per cent of outworkers have been physically assaulted and almost half have been threatened with physical assault.

Occupational health and safety conditions in the industry are also appalling. Because of the conditions of employment, where an ordinary suburban house is converted into a virtual factory, outworkers are at threat from electrocution or long-term illness from exposure to cotton dust. Remember that these people are working sometimes with eight sewing machines in their house, with no dust extractors and working with toxic materials. Hidden from public view and scrutiny, who will enforce the law for these people?

The middlemen between retailers and outworkers often work as godfather figures, offering help with Centrelink processes and tax forms, providing loans and of course providing work contracts. They also often lease sewing machines to outworkers. Some of the machines are 30 years old, making the production of garments 40 hours a week an arduous task and a substantial health risk. Fear plays a big part in this relationship, with many outworkers too frightened and too intimidated to do anything about their circumstances.

Every large metropolitan centre in Australia is presumed to have outwork industries, whether in primary manufacture of textile, clothing and footwear products or in value-adding measures like embroidery. Although there are no obvious factories here, there is no reason to presume that the ACT is excluded from this norm.

Outworkers are trapped in an industry which seeks to hide their exploitation through the height of a fashion catwalk or a new season release.

By endorsing this motion today, the ACT Legislative Assembly will be taking the first step in ensuring that the legal and socially accepted standards of wages and conditions are enforced for outworkers.

I would like to briefly speak now of the broad social coalition which supports these changes. This is important because all layers of society, from all political perspectives, have recognised that there must be a social consensus around the issue and it must focus on securing employment justice for outworkers. In New South Wales similar legislation received bipartisan support from the chamber. I hope we can forge that sort of cooperative approach to this social problem today.

Church groups right across the country have endorsed moves to encourage compliance. This includes the Uniting Church, which has involved itself actively in the outworker case. The broad-base community group FairWear has emerged to educate consumers and campaign for change in the industry. The Textile, Clothing and Footwear Union endorses this approach. It endorses it because it allows for closer scrutiny of all textile, clothing and footwear contracts and allows retailers who enforce the award to be rewarded in apublic fashion. The Australian Retailers Association has approved a new code of conduct to eliminate exploitation.

If this motion is endorsed today, it will be an example of legitimate community concerns being developed into effective policy, negotiated with all stakeholders and put into practice. In supporting this motion, we would be setting new consumer standards and doing our part to complement the developments of other jurisdictions.

It should be stated here that this is part of an integrated strategy by Labor governments across the states and territories to tackle what is a national problem. With New South Wales and Queensland already having implemented these reforms and Victoria, South Australia, Tasmania and other jurisdictions promoting reforms, it is not tenable for the ACT not to act in this area.

We cannot be an island in a sea of reform. If we do not proceed with these reform measures, we could become a potential haven for exploitative practices. We do not want this territory to be a magnet for manufacturers and subcontractors eager to establish their operations here.

Let us turn to the reforms which I am seeking to introduce if this motion is passed today. Let me also clarify that these reforms are not about foreign-made products. This motion concerns only goods made using Australian labour in Australia. The object of this motion is to ensure that clothing outworkers receive all their lawful entitlements and consumers are provided with ethical purchasing options.

The ACT, with these new measures, would not be a haven for exploitative and unscrupulous manufacturers and subcontractors. We would be implementing these reforms, confident of their success and acceptance in other jurisdictions, especially New South Wales, the state which surrounds the ACT.

If this motion is supported, the ACT government would set the benchmark for the territory by ensuring that all ACT government textile, clothing and footwear contracts are made FairWear. As a major purchaser of these products, the government would exercise its ability to use tender and contract to protect people's entitlements at the bottom of the textile, clothing and footwear manufacturing pyramid.

Just as the government has a role, so do businesses. Under these reforms I propose, retailers would be able to opt to sign on to the Australian Retailers Association code of conduct or adhere to a mandatory code. It is worth noting that this obligation will mirror many of the obligations contained in the federal and many state-based awards. The key to this reform is the provision of information. A code of conduct would ensure that retailers open up their contractual chains to scrutiny by the public, thus allowing consumers to exercise the choice to purchase clothing made in a sweatshop or clothing made with fair pay and fair conditions.

I will not purchase clothing made by children or made for under $1 an hour, nor will thousands of consumers in the ACT. Consumers have the real power over the products they purchase, and I have confidence that many shoppers would choose an ethical product over a product made under conditions of exploitation.

By involving stakeholders in a fair trading code administration committee, we ensure that these measures work, through cooperation, discussion and consensus. The committee would report directly to government, ensuring that this issue is taken seriously.

This motion also calls for amendments to the Occupational Health and Safety Act and regulations to ensure that we are consistent with other jurisdictions. Whilst the detail of this needs to be worked through, the amendments would relate primarily to the nature of the employee/employer relationship. If contractors set up factories or home work here, they should be expected to conform to all the health and safety standards afforded to other factory or other manufacturing workers.

Many consumers want to know that the tag "Australian made" means fairly paid and fairly made. This is supported in survey work conducted in jurisdictions in other states. Nine out of 10 women surveyed by the New South Wales Department of Industrial Relations and the Dangar Research Group were willing to pay 5 per cent extra on the price tag for a garment if they were guaranteed it was ethically produced. In addition, the survey found that whether or not a shop stocked ethically produced garments would be afactor for two-thirds of women in choosing where to shop.

We have the ability to ensure that consumers have the information and therefore the purchasing power to enforce award standards through ethical purchasing. Smart businesses would soon realise that there is clear competitive advantage to be gained by adopting ethical sourcing.

The new fair trade code of practice would exempt some businesses. It would exempt those businesses who have already voluntarily opened their books and are enforcing award standards on their suppliers. The Australian Retailers Association and retailers such as Target have already signed on to the model ethical code of practice. They deserve our congratulations as a community, and their decision to act ethically must also be protected so their commitments are not undermined by less steadfast retailers.

As I mentioned earlier, this is part of a coherent legislative agenda pursued across all state and territory jurisdictions. A bill currently before the Victorian parliament mirrors many of the proposals put here today and in some respects goes further. Queensland has already implemented a code of practice and inserted ethical sourcing clauses into all government tender documents.

By far and away the leader in this field is New South Wales. Last year the Carr Labor government introduced the first comprehensive scheme to regulate outwork manufacture to enforce the law against unscrupulous manufacturers and emphasise the obligations of government and business.

In 2001 the New South Wales parliament passed the Industrial Relations (Ethical Clothing Trades) Act and new provisions in the Industrial Relations Act 1996 to introduce a number of measures to assist outworkers to claim and protect their rights and entitlements.

Supporting this motion today would ensure that ACT is in line with neighbouring state legislation and fulfilling our obligations to Australia's most exploited workers, ensuring that their conditions remain neither hidden nor heinous.

When we look at a little tag on clothing which says "Aussie made" let us make sure it does not stand for exploitation or child labour. Let us make sure it stands for a fair day's work for a fair day's pay here in the ACT and in Australia as a whole.

I commend the motion to the Assembly.

MR PRATT (11.42): Mr Speaker, I rise to support the thrust of Ms Gallagher's concerns. We sympathise with the concerns raised regarding exploitation of textile workers or any other workers. We acknowledge the need identified by Ms Gallagher to ensure that there are measures in place to provide protection. It is also necessary for the Assembly and the community to be ever vigilant.

However, I do question the motion and wonder whether it is unnecessary, as I am aware that there are measures in place to protect ACT textile workers. I wonder whether Ms Gallagher's motion is simply a solution looking for a problem.

The introduction of a mandatory code of practice may be unnecessary. It may be a duplication. It could simply be another layer of legislation. The needs of employees and the obligations of textile business owners, I believe, are amply covered by national benchmarks currently in place.

I would point to the initiatives undertaken in the last couple of years by retailers and textile, clothing and footwear unions in New South Wales. New South Wales has introduced a code which is widely accepted. That was under an agreement struck by the retailers association and the unions.

ACT commercial activities and the rights of workers would best operate within the New South Wales environmental context. Why would we establish inconsistency by introducing a new code when perhaps provisions in place meet all of our needs? I hope we would not be seeking to introduce in the ACT something inconsistent with practices in New South Wales. That would create inconsistencies and duplication which would not only fly in the face of the rights of workers but also interfere with the good practice of business.

On 9 October 2002 the Australian Retailers Association and the national union, the Textile, Clothing and Footwear Union, struck an agreement to introduce a national code, a national benchmark. That national benchmark was based on the successful New South Wales model. They have simply incorporated the New South Wales model lock, stock and barrel. The Australian Retailers Association and the TCFUA agreed that it was very important to have in place a national benchmark that allows consistency across all jurisdictions.

Why would the ACT union seek to buck the wishes of a national union? I am not sure that that has been explored, and I hope that Ms Gallagher, in her closing address, can tell me. Why would the ACT seek to have inconsistencies? Hopefully, that will not be the case.

There are no apparent major reports on exploitation of textile workers here in the ACT. If cases do arise—and perhaps they will—then existing national benchmark codes surely would be brought to bear. Yes, we must be vigilant against exploitation. But it would seem that the national instruments in place will meet those requirements. Ms Gallagher has quite rightly pointed out that FairWear, which is a national coalition of churches and community support NGOs, supports those national benchmarks.

I am not sure that Ms Gallagher has made out a compelling case to introduce extraterritorial code measures which are needed to supplement the national code. We on this side of the house support—I think all members of this place do—workers against exploitation. But the opposition will certainly not support the implementation of any unnecessary duplicating legislation, and we will be alert to that possibility.

We will be pleased to examine any government proposal, but we will do that against the reality that there are existing protections nationally, agreed by all of the national and jurisdictional stakeholders. We will look at what the government may seek to introduce, and we will do so against those national benchmarks.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (11.47): Mr Speaker, the government welcomes the motion from Ms Gallagher today, because it raises a very important issue. Unlike Mr Pratt, who could be characterised as a conservative in search of an argument, the government is keen to explore the possibilities outlined in Ms Gallagher's motion.

The motion talks about nationwide concerns. We do not have a large or significant textile manufacturing industry here in the ACT. But it is highly likely that in homes around Canberra small numbers of people are engaged in this type of labour. We do not know whether or not they engaged in a way which is ethical, is fair and respects the rights of the people doing that work. So it is worth while exploring these issues.

Further, it is worth while considering the implementation of a mandatory code of practice for retailers in the ACT. The issue is one which I know my colleague Mr Stanhope, as minister responsible for consumer affairs, will speak more about shortly. But it is worth while exploring consistency with the approach that has already been adopted by New South Wales. That point is right. The ACT cannot afford to become an island in a sea of better regulation around us when it comes to these matters.

As I have already noted, the ACT does have a very small textile, clothing and footwear manufacturing sector. There are very few outworkers in the ACT. Most outworkers, as Ms Gallagher pointed out, are in larger cities. But while the government has been unable to identify outworkers currently working in the ACT, as I have already indicated, there is every possibility there would be people undertaking home-based work in this area,—for example, performing clothing alterations for retail stores.

It is important to remember that outwork is not limited to the textile, clothing and footwear industry. The increasing use of computers means that more people are teleworking from home in other industries as well.

The government will commit to investigate whether legislation similar to that introduced in New South Wales and Victoria is necessary to protect outworkers employment conditions here in the ACT. We need to further investigate the Assembly's powers to make such legislation, and to make sure that any legislation is not inconsistent with the contents of federal laws, such as the clothing trades award.

New legislation commenced on 1 July this year to ensure that outworkers are protected by ACT workers compensation legislation, significantly expanding the definition of worker.

A review of the Occupational Health and Safety Act is now under way, and we expect that the review will recommend that the act cover outworkers in the same way as the new workers compensation legislation does. I am keen to see an expansion of the definition of the term "worker" in the ACT occupational health and safety provisions.

The ACT government's procurement guidelines already provide for the government, as a purchaser of textile, clothing and footwear products, to include a standing clause in all contracts to ensure that workers' wages and conditions are protected in the manufacture of goods and the provision of services for the government.

Following Ms Gallagher's motion today, the government will continue to examine its procurement policies to ensure that they are as up to date as possible and that we use our purchasing power as a consumer to promote products that are generated through ethical means and stop those which are generated through exploitation of outworkers.

This is an important motion, one which deserves serious investigation. The government will be following up Ms Gallagher's call and focusing on what changes can be made to ensure that people engaged in this type of work in the ACT are properly protected.

MS TUCKER (11.52): I move the following amendment:

> Paragraph (6), after the word "ensure" omit "jurisdictional consistency", substitute "the best possible protection".

The Greens are happy to support this motion and thank Ms Gallagher for bringing the matter to the Assembly and, importantly, pushing for concrete action by our government.

The concept of fair trade is central to this motion. Commitment to fair trading as aprinciple subverts so-called economic rationalism, which assumes that all anyone is interested in or should be interested in when making market transactions is the lowest price.

Fair trading recognises that there are more values to be taken into account in our market exchanges. This is global dialogue occurring right now with the World Trade Organisation. In this case, it is the welfare of the people making the clothing, footwear and textiles we buy. Committed, concerned people in the community and unions have worked hard to bring this unfair situation to light, and they have developed means to address it—in particular, the FairWear campaign and the textile, clothing and footwear union. The Australian Retailer Association also should be credited for their commitment to the retailer code.

While much of this type of manufacturing for the Australian market is done overseas, there are an estimated 330,000 outworkers in Australia, according to unions—144,000 of them in Victoria. The *Age* reported on a survey of outworkers conducted in 2001 by the University of Melbourne. Of the study respondents, three-quarters worked up to 19 hours a day, and a third relied on their children to help them complete work. Some worked for less than 50c an hour. Most of the respondents were female migrants from Vietnam, Thailand or Cambodia and did not speak English well. The situation is extremely grave, and the current approach is not adequate.

The researcher said she found it hard to find people who would talk to her, because they were afraid of losing their jobs. Outworkers were also investigated by the New South Wales Industrial Relations Commission a few years ago. The commission established just how disturbing this industrial exploitation is.

Outworkers are right at the bottom of the supply chain and completely out of sight. Our current federal government adds to this by not classifying outworkers as employees, which means that they are not protected by awards, such as we have.

On the FairWear website are a series of personal stories. They illustrate the situation better than statistics. One woman says:

> I live in St Johns Park, near Canley Vale, NSW. I came to Australia from Vietnam 2years ago, and I've been an outworker since then.
>
> In Vietnam, I worked as a designer and tailor, and I taught others how to sew. In Australia, the only work I've found is sewing clothes in my home. I work very long hours, starting early in the morning and finishing late at night.
>
> In October, I sewed clothes with the Sussan label. I was given quite a difficult job sewing pants, which required a lot of skill and accuracy. My boss inspected my work to make sure all the measurements were just right. This was a requirement from Sussan that the work be accurate. If anything was incorrect, I had to do the whole item again. It took a long time to finish that order.
>
> I was paid $2.10 for each pair of pants I sewed. Each pair of pants took around one and a half hours to complete. I kept a sample of those pants with the Sussan label and I still have them at home.
>
> When I was doing my shopping recently, I went into a Sussan store and saw that the pants I sewed were selling for $50. I was shocked, and kept asking myself - why did I only get $2.10 when Sussan sells these pants for $50? How much profit do the middlemen and the retailers make from our work?
>
> I stopped working for Sussan because I couldn't survive on these low rates of pay. I'm now 7 months pregnant and I have to think about how I will support my child. I can't look after my family unless I'm paid a proper amount. You can't raise a family working for Sussan.

I have chosen this story from among others because Sussan has at least in the past claimed that their existing clothing contracts require manufacturers to use legal labour sources, so they do not need to be part of the monetary system. Many outworkers have reported sewing clothes sporting the Sussan label for well below award rates of pay.

It is quite interesting to look at the history of the campaigns for fair conditions for outworkers. In 1994, there was a national outwork information campaign. Information in 12 languages was distributed to outworkers and employees, and a multilingual outwork phone-in was conducted over two months.

In 1995 the *Hidden Cost of Fashion* report was released. In 1996 the home workers code of practice and FairWear were born, and there were submissions to the Senate inquiry from employer organisations for the first time acknowledging the outwork issue and making public their opinions and proposals to the Senate. *Four Corners* at that time provided further impetus by exposing companies. Australia Post and Country Road signed agreements with the TCFUA following media exposure linking their names with exploitation. That was fairly significant.

In 1997 FairWear established networks in each state and began joint actions with the TCFUA against targeted retailers to get the home workers code of practice in place. By 1998, slowly but surely, manufacturers and retailers started to sign the code, as a letter writing campaign and regular actions continued. FairWear representatives visited management of some manufacturers and fashion houses.

In 1999 the New South Wales government made a pre-election promise for a strategy, including legislation, to stop exploitation of outworkers. There was a win in the court. The Full Bench of the Industrial Relations Commission handed down its decision to retain the outworker clauses of the clothing trades award 100 per cent intact.

In 2000 FairWear attended Fashion Week in Melbourne incognito, decorating tables with leaflets and outworker information. In 2001 there was an accreditation, labelling and sewing manual to make the code work for outworkers. In 2002 FairWear has asked to represent community interests in the New South Wales Ethical Clothing Trades Council. Hunter Gatherer was the first retailer to become accredited to the code.

As I mentioned, the retailers association some years ago initiated a voluntary agreement under which individual retailers could sign on to work cooperatively with the union to ensure their suppliers were looking after workers. Some, such as Target, did so. However, this relied on individual retailers and meant that those who did not opt in were left unregulated.

A mandatory code means that retailers who do the right thing are not disadvantaged, and most importantly it offers protection to all workers, not just those lucky enough to be working ultimately for retailers who have opted in. I have noticed over the years with different voluntary codes that business groups end up asking for a mandatory code, because they realise that the responsible players are suffering due to the work of the irresponsible players. It is quite an interesting process to watch.

Ms Gallagher's motion asks us to note that this is an issue for every jurisdiction to address. We do not know how many outworkers there may be in the ACT, but this is the kind of responsibility which must cross state borders. We buy clothing, et cetera made in Australia, and we want to know that those items have not been made by children and exploited workers.

The code of practice proposed is modelled on the code already taken up in New South Wales, to be mandatory next year, and to which Tasmania and South Australia have committed. The Greens do not necessarily see the fact that other jurisdictions have taken up a scheme as good reason for doing it ourselves. I mention these schemes by way of saying that there is an established scheme which we can pick up.

My amendment addresses the question Mr Pratt addressed. He was concerned that we had to have jurisdictional consistency. My concern is that if we have the blind understanding that it is good if we are all consistent we can lose the capacity to raise the standard. That can hold us down. That has happened in this place with a number of issues. Where we have national schemes of a lesser standard than the majority of members of the Assembly would want in the ACT we are stopped from improving them because of this national approach. My amendment addresses that. The primary concern is to ensure the best protection rather than jurisdictional consistency.

I am informed that the code works in New South Wales by requiring retailers to provide information on their supply chain to the regulator, in this case the code administration committee, which I understand it is proposed include industry and worker representatives. *(Extension of time granted.)* This information on the supply chain is publicly available, and this allows monitoring and reporting to be taken on by members of the community. Unions and other active interested community groups are likely to be the ones who take up this role.

At the moment, unless a retailer proudly displays information on how committed they are to fair conditions for the people who create their products, there is no way for people concerned about this issue to compare retailers. At this stage, because this is being implemented at state and territory level, it will not, I understand, be able to exercise control over international work. This is unfortunate, but it is an unfortunate fact of our current federal government's beliefs.

MS DUNDAS (12.03): I will be addressing my comments to both the amendment and the substantive motion. The ACT Democrats support Ms Gallagher's motion and Ms Tucker's amendment and thank Ms Gallagher for bringing the plight of outworkers to the attention of the Assembly.

The FairWear campaign to eliminate the exploitation of home-based outworkers has been a very successful campaign over the past eight years. The group has been instrumental in raising the exploitation of outworkers.

In 1996 the Senate Economics Reference Committee reported on outworkers in the garment industry. Typical outworkers were defined as mainly migrant women of non-English-speaking background who sew garments in their own home or someone else's home for the clothing industry.

The report also noted that there appears to be no shortage of recent migrants available to do outwork. This is primarily because that sector of the population has a very high rate of unemployment, particularly among women, and there is a chronic shortage of semi-skilled jobs in the manufacturing sector in Australia.

Women who work as outworkers have primary responsibility for their children and for housework. The fact that they cannot afford to pay for child care leaves many outworkers no choice but to work at home. If child care was not so expensive, however, many outworkers state they would consider working away from home.

Many outworkers have little or no educational qualifications, although some qualifications gained in their country of origin are not recognised here in Australia. Outworkers usually experience significant barriers to obtaining alternative employment. They feel trapped in a working situation that offers little relief, inadequate support and few opportunities for change. Debbie Carstens, representing Asian Women at Work, said:

> We have seen people with machines in their laundry, their bathroom, their kitchen, their lounge room, their dining room and their garage. One woman has two machines in her bedroom—an overlocker and a sewing machine. They are often very dark and confined spaces with not much air and there is a lot of dust in the air from the cloth they are using.

There is no doubt that these women are some of the most exploited groups in the labour market. When they get work, it is for typically for 12 to 18 hours per day, seven days a week, for about a third of the award rate of pay, with no access even to the minimum conditions enjoyed by factory workers.

Governments Australia-wide have tried to implement some of the recommendations from the 1996 Senate committee report, and it is New South Wales that is leading the way. Following support for Ms Gallagher's motion, the ACT will be able to catch up.

The New South Wales Minister for Industrial Relations, Mr Della Bosca, has secured a $4 million commitment per annum to the Behind the Label strategy, which aims at providing direct help to outworkers and promoting a fairer, stronger clothing industry in New South Wales. Behind the Label is backed by Australia's first laws to protect outworkers' rights and entitlements. The strategy also has the backing of the Textile, Clothing and Footwear Union of Australia, the Australian Retailers Association, the Australian Industry Group, Australian Business Ltd and varying community organisations.

I support the amendment from Ms Tucker. We do not want just jurisdictional consistency. We do want the best possible protection for workers in the ACT. The Textile, Clothing and Footwear Union does not have an ACT branch, so it is only right that the ACT government commit to a similar, if not better, program to ensure that outworkers in the ACT are protected.

We have seen the program in New South Wales work with success. The New South Wales Department of Industrial Relations has employed bilingual outreach workers to bridge the gap between outworkers in their local communities and government services. Increasingly, outworkers are coming forward and having their industrial issues documented and resolved. The 1800 hotline operated by the department in New South Wales has taken more than 100 calls seeking assistance and information.

In September a historic agreement was brokered through the New South Wales Government Ethical Clothing Trades Council with retailers and the unions. This agreement was a world first in tackling the problem of outworker exploitation. The code of practice signed in the parliament of New South Wales established the role and responsibilities of retailers in ensuring fair and decent labour practices in the clothing industry.

Retailers that have already signed on include Target, Grace Bros, David Jones, K-Mart, Big W, Suzanne Grae and Cue Designs. When this historic code was announced, Mr Della Bosca stated that as there were Labor governments in every state and territory he would proudly join with the union and take the agreement to other states, paving the way to achieve a truly national solution.

A code, however, is not a guarantee that every garment has been made without exploitation, but does indicate the retailers' cooperation with the union in providing the commercial records necessary for the union to effectively police compliance with the clothing award within their contracting chains.

I have a few concerns in regard to this motion, as there are no estimates of the cost involved for the ACT government. Hopefully, this is a cost that we are willing to bear. If we are to piggyback on the scheme already established in New South Wales, the cost should be minimal. There is also no reporting date or a date by which we can expect completion.

With majority support, which I know this motion will get, we will monitor the government to ensure compliance as swiftly as possible. The Assembly, Ms Gallagher and the union will remain aware and keep an eye on the government to ensure that the changes called for today are enacted.

We also need to remember what we as individuals can do by choosing carefully where we shop and what we buy. Great steps in the FairWear campaign have happened through individual action. In the United States whole college sporting teams have refused to take uniforms from Nike, making the great and important political statement that they choose not to wear clothes produced in sweatshops and by outworkers not receiving the right pay or conditions.

We should applaud this motion and look forward to government action, but hope that this debate today reminds us of the power of our own individual actions and choosing wisely what clothes we wear and what companies we support.

The ACT Democrats thank Ms Gallagher for bringing the exploitation of outworkers to the attention of the Assembly today. FairWear and the TCF union can be congratulated for the role they have played in maintaining pressure on retailers and the government to bring about this significant victory for outworkers. We look forward to the implementation of a retailer code and deed undertakings bringing about real change for outworkers.

MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women) (12.11): Mr Speaker, I wish to give the Assembly some information on actions that have been taken and will be taken by the government in relation to this matter.

The government condemns the exploitation of outworkers in Australia. As has been mentioned during the debate, outworkers are commonly from migrant backgrounds. They are rarely unionised and are some of the lowest paid workers in the country. This government and all governments need to take action to protect this disadvantaged group of workers.

It goes without saying that the ACT government is committed to working with businesses to promote the highest ethical standards in the manufacture and retail of textiles, clothing and footwear. We want to have an open dialogue with business on these issues.

Most business people understand that ethical work practices are good for their business. Businesses attract sales by complying with voluntary codes of practice so they can display the "no sweatshop" label on their goods. The government wants to assist consumers to make ethical purchasing decisions by ensuring they have reliable information about the origins of goods.

The Trade Practices Act contains specific provisions concerning the making of false and misleading representations concerning the place of origin of goods. This enables consumers to make informed decisions about whether they purchase products from Australian and overseas businesses that have poor records on ethical employment practices. We hope that they take note of that and purchase accordingly.

For the information of members, I advise that I have asked the Commission for Fair Trading to provide me with advice on the costs of introduction of a code of practice under the Fair Trading Act to promote corporate transparency regarding the manufacture of goods in the textile, clothing and footwear industry.

I have asked that as part of that advice there be consideration of the legislative developments in New South Wales and Victoria and that they be examined fully. As members know, those jurisdictions are currently establishing frameworks for voluntary codes of practice and potentially mandatory codes of practice in the future.

The codes will be designed to encourage retailers to ensure the products they purchase for retail have been sourced from suppliers whose workers are receiving their full legal entitlements. The Office and Commissioner of Fair Trading are reviewing that legislation and those codes for possible use, introduction or adaptation here in the ACT.

I am also advised—I am sure members know this—that the government, as a purchaser of textiles, clothing and footwear products, already includes a standard clause in all contracts to ensure that workers' wages and conditions are protected in the manufacture of goods and provision of services for the government. The government will continue to examine its procurement policies to ensure that it uses its power as a consumer to stop the exploitation of outworkers.

I acknowledge and thank Ms Gallagher for the significant work she has done on this issue, for bringing this issue to the Assembly and for generating and facilitating this debate today on a very significant issue for an enormous number of people nationally. One hopes that it is not a major issue or problem in the ACT. But we have no reason to be complacent. There are outworkers in the ACT, and it is vital that they be protected to the fullest and greatest extent. I am sure that through additional focus we will do what we can as a jurisdiction to ensure that outworkers in this community are protected.

MS MacDONALD (12.15): I thank Ms Gallagher for bringing this motion before the Assembly. I would like to talk about a few things from personal experience before talking further on the issue. Many people would know of my former experience working in the union movement. Before I came to Canberra, this land of milk and honey, I did a year of voluntary work on a program called Asian Women at Work. I was involved in teaching English to Asian women who worked in the textile, clothing and footwear industry.

They were the lucky ones. They were not outworkers. They were working in factories. The so-called factories were generally garages in the back streets of places like Marrickville. Those workers were on good wages in comparison to outworkers. They might have been getting paid $5 an hour as opposed to $2.20 a piece if it passed inspection.

I also remember my experience in 1994 campaigning for that great Australian institution the Australian Labor Party in the seat of Cabramatta.

Mr Hargreaves: It is a wonderful club.

MS MacDONALD: It is not just a club. I remember doorknocking in Cabramatta. For those people who do not know what Cabramatta is like these days, it is a very multiculturally diverse area. There are people from Cambodia, Vietnam and other areas of South East Asia. There are quite a few Thais as well as the older multicultural backgrounds of the Italians and Greeks.

It is largely the Vietnamese and the Cambodian communities that make up the poorer areas around the railway station. It was a very eye-opening experience for me doorknocking in 1994 for the party. Home invasion was a big thing in those days. You would walk up and down the stairs and knock on the doors in these very poor flats. Some of it seemed almost like Third World conditions. Maybe that is a slight exaggeration, but they were dirt poor. You would knock on the door, and you would know somebody was home, because you would see somebody move behind the peephole. They would not open the door, even to me, obviously a young woman who posed no threat. They were so terrified to do it.

I remember one instance. There were a few but there is one which sticks clearly in my mind. The door was opened by an Asian lady. She had a young baby in the lounge room. There were piles of blue material stacked around the lounge room floor. This would have been a bed-sit or a one-bedroom flat at most. The entire place was taken up with bundles of blue material which were being made up into clothing. The lady's English was not good enough for me to have a conversation about the forthcoming by-election. I could see that she was clearly under a lot of duress to get the pieces made up, so I let her go. That was eight years ago. It still sticks clearly in my mind.

I would sound the alarm on a couple of areas of exploitation or potential exploitation. They have already been raised by Minister Corbell. In the clerical and IT areas in the ACT there is a great deal of potential for people to be exploited. I was the organiser for the Australian Services Union clerical branch here in Canberra for five years and got to see a lot of the unhappier sides of the work force in that area. It is a potentially growing area of exploitation.

As the minister said, anybody who has a computer or a telephone, or both, can potentially be set up to become a teleworker doing a whole lot of data processing. My recollection of data processing is that it is incredibly tedious work. A lot of the time women—and it is mostly women—sit in rooms which are not designed for someone sitting in front of a computer screen for eight hours a day with one half-hour break at lunchtime and no tea or coffee breaks and being judged on their output.

That already happens in this town and in other towns. We at least know that those places exist. But in homes not set up to do this work the potential for workplace injuries increases. The home, in general, is not set up as a workplace. Most computer desks at home are not set up appropriately. For short amounts of work they are acceptable, but if you are doing lengthy periods of typing, data processing or telemarketing, you will end up with injuries. You will end up with neck strain and eye strain, with potential for overuse injury.

A few months ago while on my honeymoon, I was in a marketplace in Granada in Spain. I had a meeting with a gentleman from the United States who was from the equivalent of the Textile, Clothing and Footwear Union in Australia. We were with some friends, one of whom is currently working in my office. David was wearing his "Proud to be union" T-shirt. This guy said, "I work for the clothing union in the United States." We started talking about union issues.

I gave him my card and said, "I am in the Assembly in the ACT. I used to be a union organiser." He was telling us about the Bizet opera *Carmen*. A woman was thrown out of a cigarette factory because she was organising for the union movement. The man said he had worked with the TCFUA on the Nike campaign. It has been incredibly effective in raising our knowledge about the fact that there are people who are exploited and that the people who make the clothes we wear and the shoes we put on our feet—things that we take as day-to-day givens and pay a lot of money for—are getting virtually no pay for it. I have received an email from this man saying that he has recently set up a clothing company in the United States, together with the union, to make clothing. The workers are paid a proper wage, treated properly and respected for the talented work they do.

I commend the motion.

Amendment agreed to.

MS GALLAGHER (12.25): I thank members for their contribution and support for this very important motion. I respect the Liberal Party's right to view future legislation as it comes on board. There certainly is not any detail. This is not about duplication. The proposed laws would be entirely consistent with those in New South Wales and Victoria.

The Victorian legislation sets a mandatory code. The New South Wales legislation has also accepted recommendations to move to a mandatory code next year. The national code of the Australian Retailers Association is voluntary. I reiterate Ms Tucker's point that there is a need for mandatory codes to protect the ethical retailers. If you do not sign up, you do not have to do anything. This is about establishing a mandatory code. You can either be part of the mandatory code or sign up to the voluntary code. There has been

outwork here in the past. We must move towards regulation and protection for any future developments in this industry.

I note Mr Pratt's point about the TCFUA and FairWear. We are not doing anything that goes against anything they have been supporting. I would not have proposed a motion like this without consulting extensively, both with my colleagues interstate and with the people who commenced this campaign and have kept it going for so many years. The motion I moved has the endorsement of FairWear and the TCFUA. I hope that addresses those concerns.

Ms Dundas was concerned about costs. I support what Mr Stanhope said. We need to look at . We will not know exactly how much it will cost until it is all in place. From evidence interstate, the costs of establishing and policing a mandatory code are fairly small. The costs can be met by departments via administration but also through consumers being provided with information. The policing of the code is not done just by government.

Again, I thank all members for their contributions. This is a good day for the ACT.

Motion, as amended, agreed to.

Sitting suspended from 12.28 to 2.30 pm.

Questions without notice

Hospital waiting lists

MR HUMPHRIES: My question is to the Minister for Health. I refer to a statement that you made on WIN news on 15 November this year. I quote you:

> The fact that a number of patients have gone interstate has led to a reduction in the waiting list at this moment, as of today, to a waiting list of three weeks which is a major success for the Canberra Hospital.

Minister, why is it a "major success" for the health system when cancer patients have to travel interstate because they cannot get treatment in Canberra within a clinically acceptable time frame?

MR STANHOPE: I thank the Leader of the Opposition for his question. We are all well aware of the shortage of specialists in a number of areas of health service delivery provided by allied health professionals in the ACT. Indeed, an issue of concern to the government, the Canberra Hospital and the community for a number of years has been the shortage of oncologists and radiation therapists at the Canberra Hospital, as a result of which there has been enormous stress and strain within the oncology radiation service at the Canberra Hospital.

This was an issue two or three months ago here in the ACT, when waiting times unfortunately blew out to about 10 weeks, which is unacceptable for a whole range of reasons—other than imposing an enormous strain on people who have been diagnosed with cancer and who are looking for treatment. As a result, a number of ACT residents

travelled interstate to seek treatment. Clients were travelling as far afield, in some instances, as Brisbane. The majority went to Sydney, and some took to Wagga.

The reduction in the waiting list that I described as a significant achievement for Canberra Hospital was, indeed, that. Three reasons have been advanced for the reduction of the waiting time for radiation therapy at the Canberra Hospital. Firstly, new equipment, which is government funded to the tune of $3.75 million, had been installed and come on stream. That was two multileaf collimators, which enhance the linear accelerators and are a vital part of the treatment provided to cancer patients.

They are now on stream, they have been installed and calibrated, they are operational, they provide for ease of operation for radiation therapists and they reduce the demanding nature of the work. It is sometimes demanding for radiation therapists to deal with clients that require these services. That was the first part of the response, the result of a $3.75 million investment by this government in advanced oncology and radiation equipment.

The second reason for the reduction in the waiting list is that, over recent months, we have managed to increase the number of radiation therapists from 12.3 to 15.5 full-time equivalents in an establishment of 20. We still have 4½ full-time equivalent vacancies, which are funded positions. This is not a question of our not being able to fund positions. The positions are funded; we simply cannot fill them. That has been the situation for a number of years now. We have not had our complement of radiation therapists at the Canberra Hospital for some years.

One of the reasons for that is that radiation therapists in the ACT, until recent times, were almost the worst paid in Australia. That disparity was under your government, Mr Humphries, and I am happy to confirm that. My understanding is that radiation therapists in the ACT under your government were paid 26 per cent less than their colleagues in New South Wales and 30 per cent less than their colleagues in Victoria.

The Liberal Party's contribution to dealing with radiation therapy and people with cancer in the ACT was to pay radiation therapists—at least, in relation to New South Wales—26 per cent less. No wonder we couldn't attract and recruit radiation therapists when all they had to do was cross the border to get a 26 per cent pay rise.

The level of hypocrisy shown by the Liberal Party in relation to this issue is staggering. That situation was rectified by this government in the last round of negotiations. It does not deal with the pay scales of other allied health professionals. That is another issue the government is now struggling with.

The third reason for the reduction in the waiting list—and each of these issues was dealt with in my press release; I do not know how fully they were covered by WIN television, but they were all dealt with in my press release—which the Leader of the Opposition refers to and which we were open in acknowledging is that, as a result of the blow-out to 10 weeks, a significant number of clients sought treatment elsewhere, as one would expect. It is a matter of great regret that they did.

Of course, that itself reduced pressure on the Canberra Hospital. It is nothing we are proud of. I made that acknowledgment that the effect of the long waiting list was that people were leaving Canberra to seek treatment. I was simply being open. I was simply saying, "This is not just about workforce shortages; this is not just about the fact that we have provided an additional $3.75 million for oncology equipment. This is also a reflection of the fact that, because of the shortage, because of the waiting list, people, regretfully, left Canberra for treatment which, of itself, had an impact on the waiting list."

As Dr Tait has indicated in his comments on this issue, now that Canberrans and doctors know that there has been a significant effect on waiting lists, of course, the list will blow out again. It will. Canberra people and Canberra doctors who were referring patients out of town will now refer them to the Canberra Hospital, and it will once again become fully loaded.

I have no doubt that the waiting time for radiation therapy cannot be maintained at three weeks, and it won't be. But it is better that the doctors and the people of Canberra know that we have at least had this significant effect on waiting lists and that they respond, as they would, by referring again to Canberra Hospital.

But the problem is not over; the problem is not solved. We are 4.5 radiation therapists short. The positions are funded. We have advertised nationally and internationally; we have advertised in New Zealand, Canada and South Africa. We are trying as hard as we can to fill these positions, and we will continue to do that.

MR HUMPHRIES: I have a supplementary question. Given, Minister, that you acknowledge that the waiting times will blow out again when doctors begin to refer their patients back to the Canberra Hospital, what do you expect waiting times to reach? Do you expect them to once again reach the 10-week period that you regretted—

MR SPEAKER: That is a hypothetical, Mr Humphries.

Terrorism

MRS CROSS: My question is to Mr Quinlan in his capacity as Minister for Police, Emergency Services and Corrections. Minister, the federal government announced yesterday that Australia is now definitely on the hit list of al-Qaeda operatives or its affiliates.

While the federal government did not specify particular targets, one would have to assume that a government building housing hundreds of people would surely be high on that list. Minister, can you confirm whether the government has taken measures to increase security, and have such considerations included the Legislative Assembly precincts?

MR QUINLAN: Members will be aware that the federal government—

Mr Pratt: Just ask Mrs Cross to refer to *Hansard*.

Mrs Dunne: Mr Speaker, I have a point of order. I understand that Mr Pratt asked a question very much like this last week. Therefore, it has probably already been answered.

Mrs Cross: It is not the same question. It is a different question, and it relates to a story in this morning's paper. I think you need to check *Hansard*.

MR SPEAKER: I do not recall the Pratt question, so I will allow the question.

MR QUINLAN: I will start again. Members will be aware that very recently the federal minister Chris Ellison announced that there was credible information on a possible terrorist attack in Australia in the next couple of months. While the threat is not specific—and Senator Ellison has said it is not specific—as to possible targets, it is nevertheless taken seriously and is one that should be taken seriously by all of the community.

The ACT government is acutely aware of the threat of terrorist attack, particularly since the Bali bombing of October 12. As a consequence, the government has established aworking group comprising senior officers from the AFP, Emergency Services Bureau, Chief Minister's Department and the Department of Justice and Community Safety.

This has been established. Its role is to identify risks and to examine the security of critical infrastructure such as electricity, gas, water supply, telecommunications, the hospitals and the protection of people at major public venues. This group met last on November 8, and one of its actions was to seek from heads of departments and agencies urgent advice on security and infrastructure issues affecting individual agencies.

This morning I instructed that the working group reconvene again as soon as possible in response to the latest alert, to examine if further action needs to be taken to protect the ACT. The working group has also had a close and cooperative relationship with federal security agencies, who provide advice and assistance.

For some time now, the Australian Federal Police has been operating in a heightened state of alert, as a direct result of the global terrorist situation. In response to the latest information, the AFP further enhanced security measures. ACT Police members have been put into that heightened state of vigilance. The police operations centre is in a state of immediate activation in the event of any terrorist incident in the ACT.

An ACT police and security committee has been established to monitor response capacity and measures, including reviewing assessments in relation to major events and other at-risk community gatherings.

The next phase of the specialist security and response team's development training will be completed on 13 December of this year. It will increase the specialist counterterrorist response capacity in the ACT from the present 34 members to 44 full-time members.

AFP national is also hosting a visit to Canberra by three antiterrorist specialist officers from New Scotland Yard for a period of three months. ACT Policing will draw on this expertise to provide advice on any additional measures that should be employed to

minimise the risk of terrorist attack in Canberra and to refine our response measures in the event of any such attack.

Furthermore, approximately 100 members of ACT Policing will be participating in the first wave of counterterrorism awareness training to be conducted on 26 November and 3 December.

In terms of normal policing activities, I have been assured that ACT Policing is able to continue normal patrol and investigative work, despite the heightened state of alert. This includes any forensic response, should it be deemed necessary by investigating officers—and they are not all in Bali, as some wag said yesterday. The AFP will have the capacity to continue Operation Halite.

In addition, other emergency service agencies are operating on high alert and have detailed emergency management plans in place to deal with any emergency, including terrorist attack.

The fact that the information is of general and non-specific nature in terms of possible targets or timing represents a challenge to all those involved in antiterrorism activity. Members, however, can be assured that we are working closely with Commonwealth and security agencies to ensure that all possible steps are being taken.

As the Chief Minister has previously indicated, all members of the public should remain alert, while going about their normal activities—but let's hope they can still go about their normal activities. I would encourage anybody observing suspicious activity, or something out of the ordinary, to contact the police or, if they do not want to be directly involved, Crimestoppers.

You asked about the Assembly itself. That will obviously be included in considerations, but at this stage we are not giving ourselves anything special.

Canberra Convention Centre

MR SMYTH: Mr Speaker, my question without notice is to the minister for tourism. Minister, I refer to the *Canberra Times* article of 10 October 2002 about an anticipated decision on the future of the National Convention Centre, a decision the tourism industry is eagerly awaiting. The article reads:

> The chairman of the Canberra Convention Bureau, Dennis Souter, said Canberra was falling behind in the conventions market as other cities offered more modern facilities. … This is an urgent problem for this town.

The article then quotes Nick Proud, general manager of the Australian Hotels Association:

> Everyone's bandying around two options, but the third—to do nothing—seems to be the one that's been adopted.

On Saturday 26 October this year, you advised guests at the ACT Tourism Awards that you would be making an announcement about the future of the National Convention Centre this time next year. Why have you adopted the do-nothing approach, as put in

Mr Proud's words? Or is taking two years to make a decision your definition of "urgent"?

MR QUINLAN: I do not recall Mr Proud's exact words. I did actually meet the AHA, and it was an interesting meeting. Like some of the people we discussed yesterday, they were all acting out of pure altruism, for the benefit of the ACT economy. But when I came to this portfolio—I think I have advised this house before—I spent considerable time, particularly in the early months of this government, talking to the tourism industry and found that they were a most disgruntled group.

I also found that it had already been established that the Convention Centre was inadequate and in a poor state. But, at that point, what had been done was absolutely nothing. This is a common feature of various areas of importance that we come across.

All I will do at this stage is advise the house that a considerable amount of work has been done in relation to opportunities within the tourism industry and particularly in relation to the establishment of an adequate tourism facility, whatever it might be.

To divine what would be the most appropriate convention facilities for the ACT, apropos of the question that I just took from Mrs Cross, we might take a whole different view of the type of convention facility that might be offered in Canberra. That might provide for some specific and more highly secure conventions and meetings than one would ordinarily plan for.

There have been sites identified in relation to a possible replacement convention centre. We have a study that tells us that to do up the old Convention Centre would cost an arm and a leg for what you would get. I have said publicly that I will consider public/private partnerships. As recently as this morning, the Chief Minister met a number of people directly associated with tourism and business ACT in relation to what might well become a genuine proposition.

It is quite clear that if we want to build a quality convention centre in the ACT, it is not just going to come out of recurrent expenditure, because we are talking very large licks of money. We need to be a little bit more inventive than that.

In terms of where we want to go, I think we have made fairly good progress, From the opposition we have easy choices. What do you do when you haven't got an idea in your head? You say, "The government's not moving quick enough," or "I haven't seen the terms of reference," or "You haven't given us a specific date." We are, in fact, getting on with the job, and we have made a lot more progress on coming up with a genuine, viable, operational convention centre in the ACT than you ever had.

MR SMYTH: I have a supplementary question. Minister, is your do-nothing approach as tourism minister the reason why the ABS records show that visitor numbers to the ACT have fallen by 11 per cent in your first year as tourism minister?

MR QUINLAN: No. I said on radio this morning that, if Mr Smyth actually does succeed in replacing Mr Humphries as leader of the Liberal Party, ACT politics can look forward to an era of negativity characterised by distortion, exaggeration, repetition and no imagination. I might actually join in the repetitive process and make that remark in

the forum a bit more often—because it is the truth. It is about the schoolyard level of politics that you have.

In terms of convention facilities, the Liberal government did nothing. Nothing. Now it is happening, the big problem is that it is not happening damn quick enough, of course, because there has got to be something wrong and that is the best you can do. Hopeless.

ACTION buses

MS GALLAGHER: My question is to the Minister for Planning and it relates to the implementation of the government's policy to introduce a flat fare structure for Canberra, which abolishes the zone fare structure for regular bus route services across the bus zones. Could the minister inform the Assembly of the impact this policy has had on the patronage of ACTION bus services?

MR CORBELL: I thank Ms Gallagher for the question. One of the first steps the government took when it was elected in November last year was to abolish the Liberal government's unfair and discriminatory zonal bus fare policy—the policy that meant it was cheaper to drive your car from Tuggeranong or Gungahlin and pay for parking in Civic than it was to catch a bus. That was how they were going to encourage people out of their cars onto public transport: make it more expensive to catch public transport than it was to catch a bus.

The one fare anywhere scheme commenced on 1 July this year, and it has meant a number of things. First of all, it has meant that fares for bus travellers who previously had to travel across zones are between 35 and 46 per cent cheaper. Instead of paying $136 for an all-zone monthly ticket, you now pay $80 for the same amount of travel. What a significant discount that is. A very significant discount: from $136 down to $80. That is the first clear signal we are sending to the community that we think bus travel should be cheaper and more attractive.

Secondly, we have seen an increase in boardings. The Liberal Party worked very hard to get their boardings up—so hard that they decided, "If we make it free, we will get all these people to catch the bus." I remember that when we were proposing to abolish the free school bus scheme—free school bus bribe, I should say—the claim was: this will drive people off public transport. I remember Mr Humphries saying it, and I remember Mr Smyth saying it.

In fact, we have seen, overall, since July, a sustained increase in the total number of boardings for ACTION buses—up an extra 271,000 boardings this financial year compared to the same period last financial year. Far from driving people away from the bus, we have actually got more people catching the bus than the Liberals did last year—even when they were giving people a free ride.

The number of adult boardings has increased by 4 per cent. The number of concessions has risen only slightly, by around 1 per cent. But the interesting thing is the 5 per cent increase in boardings for school students. These trends are now starting to become a sustained pattern.

It is a tremendous tribute to the work of ACTION in promoting the new one fare anywhere scheme. It is also a reaffirmation of the importance of making bus travel cheaper and more attractive for people to use, especially people in the outer suburbs. The overall increase of 4 per cent—an additional 271,000 boardings—is an excellent result and one this government will continue to build on.

MS GALLAGHER: I have a supplementary question. Minister, what other benefits will this increase in patronage have for the people of the ACT?

MR CORBELL: In the longer term it is all about reducing the overall reliance of Canberra residents on their motor vehicle, and that transfers to reduced costs on infrastructure for private motor vehicles. We have to get patronage still higher on ACTION buses because not only is that a better result environmentally; it also has economic savings in terms of the reduction in the need for private car infrastructure.

A third point is that it also makes ACTION bus travel, and ACTION as an organisation, more efficient. They are delivering more people around the town; they are getting a greater mass of people onto their buses. A more efficient service is a significant saving for the Canberra community as well, and we are getting better outcomes as a result.

The Liberal Party are quick to point out whatever weakness they feel they can find, but the bottom line is that this government has got more people onto ACTION in the past 12 months than they achieved when they introduced the free school bus scheme. By requiring people to pay, but pay a modest amount, we are getting better results than they ever did by trying to bribe people onto the bus.

Connors inquiry

MR PRATT: My question is to the minister for education, Mr Corbell. In response to my question yesterday on the Connors Inquiry, Mr Corbell, you replied:

> Ms Connors' recommendations are not familiar to me. It is, of course, an independent inquiry.

Later, in response to my supplementary question, you stated:

> It is called an independent inquiry, and that means, Mr Speaker, that the inquiry chair makes up her own mind as to the issues of relevance to her in the context of submissions received by her, and then she presents the recommendations to me.

Minister, have you or will you, or your department, be receiving a draft copy of her report before you receive the final copy from her?

MR CORBELL: I do not anticipate receiving a draft report.

Mrs Dunne: What about the department?

MR CORBELL: I am not aware of whether or not the department is receiving a draft report, but I am happy to clarify that.

MR PRATT: I have a supplementary question. Minister, if you do receive a draft copy, when might you anticipate that, and will you be sharing the key themes that come out of the report with the members of this Assembly?

MR CORBELL: I think that is hypothetical, Mr Speaker.

MR SPEAKER: I think so, too.

Water efficiency

MS TUCKER: This question is for the Minister for Planning and was prompted by Mrs Dunne's private members bill last week, which introduced mandatory requirements to introduce various water saving measures in buildings, including water-efficient shower heads.

I had been thinking of doing something similar and was looking at what the government had done in this area. I came across an interesting item in the *ACT greenhouse strategy*, released by the former Liberal government at the beginning of 2000.

In the section on measures to reduce emissions in residential buildings, on page 16, two new measures were going to be introduced. One of these states:

> … the installation of water efficient shower heads will be made mandatory for new dwellings and extensions to existing dwellings.

Given that this strategy was released almost three years ago, could you advise whether this measure has been implemented? If not, why not and when will it happen?

MR CORBELL: I am willing to check the details with Planning and Land Management, but I can advise Ms Tucker that the government is continuing with the program of the high-quality, sustainable design requirements introduced by my predecessor. I think that it is a very important initiative and one that we are seeking to build on.

A range of measures are required by HQSD to be put in place for improving the sustainability of new developments, along with getting better design outcomes.

Whether or not the installation of water saving shower heads and other features like that is mandatory or whether they are assessed as being a favourable indicator towards achieving a high-quality, sustainable design outcome is something I need to clarify. But I am happy to get back to the member on that.

MS TUCKER: The other measure that was going to be introduced was that the mandatory energy efficiency ratings for new houses would be increased. Given that we still have a four-star energy rating requirement, when houses could easily be rated 10-star, when are you going to increase the rating to at least five stars?

MR CORBELL: One of the government's election commitments was to improve the energy rating system for new dwellings to allow for greater scope, at the top end of the scale, for buildings that were highly energy efficient but were currently only getting five

stars. They were clearly superior to buildings that were just packed full of insulation but which were also given five stars.

The government has requested that Planning and Land Management undertake a review of the arrangements for the energy rating of buildings towards achieving the objective of allowing for a greater range of rating, for buildings beyond five stars. That is the process that is under way at the moment.

Drought

MS MacDONALD: My question is to the Minister for Urban Services, Mr Wood. Minister, this morning you made an announcement that the ACT is in drought. Can you outline to the Assembly how this decision was made and the action the government is taking to conserve water during the drought?

MR WOOD: Mr Speaker, earlier today I formally declared that the ACT was in a state of drought. I know it is stating the obvious, but there are processes to be followed as we work down this path, and one is a formal declaration of drought.

I also released today a strategy that looked at both urban water use—building on what the Chief Minister announced last week—and a strategy for putting out drought measures. You asked what factors were taken into account in the decision. They were rainfall and evaporation over the last two seasons; soil moisture—whether the soil is able to contain some pasture growth; the level of farm dams; and paddock conditions. We also talked to the rural lessees—over 150 of them—or to them through their representatives. They are the factors that are taken into account. When it all comes together, the time has come when a drought needs to be declared.

In general, the ACT hasn't even been as badly affected as some parts of nearby New South Wales. We did have some quite good rain a couple of months ago, so the ACT has held on. But it is now getting in very short supply.

That will enable rural lessees, depending on all the terms, conditions and requirements, to seek Commonwealth aid. I understand that one of the things it can do is allow them to spread their taxation liabilities over a period. There are other Commonwealth benefits for which they might be eligible. But time will tell on that. Some of our rural lessees, as I indicated here the other day, have incomes beyond the farm income, so that might preclude a level of eligibility.

The sort of thing that the ACT government could do down the track is look at a subsidy on stock movements—taking stock for sale, slaughter or agistment somewhere or taking fodder and water to drought-affected stock. They are the sorts of measures that the ACT government could consider. One of the other areas we are looking at, if necessary, is further culling of kangaroos. This might be allowed. Strict conditions apply where they are competing for feed with stock.

In respect of the document that went out today there was more detail and more broad stuff on the next steps. We are at level 1 in the measures that the Chief Minister announced last week. That is the voluntary request: "Please ease off of on your own account to reduce water usage by 15 per cent."

I should congratulate Canberrans because it is quite clear from figures provided by Actew that they had been attending to that. One set of figures I was given was that water use declined in just a few days by 9.5 per cent. The figure varies from day to day. It was a very strong response over the weekend. It was much higher, but citizens need to be aware that a sustained effort is required. If the level of water drops further, those voluntary restrictions will become mandatory.

I saw an interesting ad in the paper today. A little bit of promotion doesn't hurt. It was a Magnet Mart ad. I think this is typical of the community view. It says, "Oi, save our water!" There are advertisements, as you can see, for a whole range of water-related goods, most of which can be seen to ease the outflow of water: things like hand sprays and the watering can you are going to need because you cannot sprinkle.

I read in the *Canberra Times* today about someone providing hoses to go from washing machines out to the garden, and he cannot keep up with demand. So Canberrans have taken it to heart. I am sure not every Canberran knows about it at this stage because not everybody reads the paper or attends to the news, so a lot of work is yet to be done to publicise this, and that will go on.

Given the enthusiasm of the public, the use of water will decline considerably over the next period. Let's hope we get some rain that builds up the supply in the dams again.

Mr Cornwell: Mr Speaker**,** I am not sure how this is covered in standing orders, but I think the minister mentioned a statement or a paper.

MR WOOD: Yes.

Mr Cornwell: Will this be circulated to members? I am sorry to interrupt.

MR WOOD: I will take it as a supplementary. I guess it is being circulated. It was released mid-morning, so I guess it is on its way.

Respite services

MR CORNWELL: My question is to the Minister for Health, Mr Stanhope. On 21 August, Mr Stanhope, I asked you about the future of the Dickson and Narrabundah day-care respite services, as there were rumours—well, I think they were a bit more than that—that they were to be closed and their users bussed to Belconnen and Tuggeranong. In the course of a rambling reply, you indicated no decision had been made, that a study was under way and an alternative for the service might be considered. Can you now advise, three months later, if this matter has been settled and, if so, how?

MR STANHOPE: Thank you, Mr Cornwell, for your question. Certainly it is, as you say, some months since you asked the question. I thought you had given up on it, Mr Cornwell. I thought you had lost interest. I am surprised that it has taken you this long to reflect some other interest in your shadow portfolio.

Mr Cornwell: Well, has it taken you this long to get an answer, or am I not going to get one?

MR STANHOPE: I answered at the time, Mr Cornwell. You should have been on the job, mate. I guess that the fact that you have come back with the issue today is a reflection of the fact that your mind is not on the Senate, or on the leadership. Are you challenging for the leadership, too, like Mrs Dunne and Mr Smyth? You are the elder statesman here, Mr Cornwell. Are they overlooking you again—overlooking your obvious talent again?

We have Mrs Dunne coming in, a mere spriteling who has been here for 12 months. We have Mr Pratt—

MR SPEAKER: Order! We'll get to the question soon, I'm sure.

MR STANHOPE: He has been here for 12 months and wants to be a senator. Mrs Dunne has been here for two minutes and wants to be the leader.

Mr Cornwell: Mr Speaker, is he relocating these people to the Senate? Is that his answer?

MR SPEAKER: Will you come to the point of the question please, Chief Minister?

MR STANHOPE: Certainly, and, Mr Cornwell, I appreciate your interest in this particular issue. As indicated before, Community Care has been looking at how best to utilise and to provide services for people requiring aged care facilities that currently utilise those facilities at Narrabundah and at Dickson.

There has been significant discussion with clients and with carers. There has been major concern expressed, through the department and by others, at the appropriateness of the facilities that we have available, particularly at Narrabundah and less so at Dickson, in terms of their utility for providing the range and the sorts of services that Community Care as a health provider would seek to provide to people seeking aged care, and certainly those that are looking for some respite in circumstances where they care for an aged family member or an aged person.

The view that the department has come to in relation to this is that we, as health care providers, can better utilise the resources available to us by concentrating our care in a range of areas, but much of the service that is provided to those that utilise both Narrabundah and Dickson is by way of respite care. We believe that there are other providers that might, with greater productivity and utility, provide that particular sort of service for some of our clients. In addition to that, we are concerned to better utilise other facilities that are available to us and there will be a rationalisation of service provision to that extent, insofar as we will seek to use other aged care facilities.

As you would be aware, Mr Cornwell, we currently have other aged care facilities operating in Tuggeranong and Belconnen. The proposal essentially is that some of the clients that wish to continue through an aged care facility run by the department will utilise those health care facilities at Tuggeranong and Belconnen. Those things are being negotiated with the clients. There is some anxiety within some families and with some clients about the nature of the change and the basis of the move.

But the decision has been made that we will cease providing the particular range of services we are providing at Narrabundah and Dickson at the end of this year. Over the holiday period the centres close for a period of time, and it is the current intention that through that transition process we will relocate aged day care services from Narrabundah and Dickson to Tuggeranong and Belconnen.

As I said before, there has been very significant consultation with the clients and with carers to seek to ease the level of anxiety that might exist and to assure everybody that the same level and range of services will be provided. We are looking for partnerships with other providers to see whether or not some of the services, particularly the respite-type services that are currently provided, might be provided through the community.

MR CORNWELL: I ask a supplementary question, Mr Speaker. You said, I think on 21 August, that a study was being made—

MR SPEAKER: Preamble, Mr Cornwell.

Mr Humphries: He's giving you one, Mr Speaker.

MR SPEAKER: I don't need a preamble, and neither does anyone else.

MR CORNWELL: Could a copy of that study be made available? Is a study of the decision available for public consumption—like by me, please?

MR STANHOPE: I am more than happy to see what is available that I can provide, Mr Cornwell. As always in an open and transparent government such as ours, I will make it available.

Hospital waiting lists

MRS DUNNE: Mr Speaker, my question is to the Minister for Health. Minister, in the last edition of the *Medical Journal of Australia*, there was an article by Dr Drew Richardson, who is the head of emergency medicine at TCH, which shows that patients who wait in the emergency department for a long time can expect to have longer stays in hospital when they eventually get a bed. On ABC on 4 November, Dr Richardson said:

> You'll get a vicious circle happening there if patients stay longer in hospital because they've been too long in the emergency department. Then they'll be taking a bed so there'll be less beds available for the next patient that comes along, so they'll be more likely to spend longer in the emergency department and so on.

You may be aware, Minister, of the website impactednurse.com. In September in its Month in Review, the site said that the emergency department staff were playing musical patients with people needing to get into hospital, and in the October Month in Review, the same nurses were saying that patients were having to wait till 6 pm on the following day from when they first visited the emergency department to get a bed in hospital.

Do you acknowledge, Minister, that the emergency department of Canberra Hospital faces a vicious circle such as the one described by Dr Richardson? If so, what concrete steps are you and your government taking to address these problems?

MR STANHOPE: I thank Mrs Dunne for the question. One of the first things that this government is doing, of course, is to work as hard as it has to provide the significant additional funds that it has to health care in the ACT. There's an enormous amount of work that has been undertaken. There was, overall, a 12 per cent increase in funding for health care in the ACT in our first budget. Added to that was the significant additional funding that was provided in the second appropriation bill, which was passed at about this time last year. And you can't deny that.

Mr Humphries: Inputs maybe, but not the outcomes.

MR STANHOPE: I think it would perhaps be interesting to do some stocktake on what has been achieved as a result of those significant additional funds. In the first instance, we were able to settle the long-running, divisive nurses dispute. Interestingly, in relation to that dispute, the previous government made a pay offer but of course had not provided any funds within the outyears to pay for the offer that was made.

Mr Corbell: Shameful.

MR STANHOPE: That is absolutely shameful government.

Mr Humphries: So what have you done about it?

MR STANHOPE: What we did about it is: we settled the dispute, we made the offer and we paid for it. We paid for what you were not prepared to make provision for. We did what you were not prepared to do. We settled the nurses dispute through a genuine offer that was backed by money—not like your Clayton's offer. Actually, we now understand why you refused to settle that dispute. You did not settle it because you could not, because you had not made any allowance. You had not made any allowance in your forward estimates to pay it.

Look at that for gross dishonesty—to actually make an offer with absolutely nothing behind it. The money was not there; you made no provision. That is why you did not even attempt to settle that nurses dispute. That is why you stirred it up and were as provocative as you were.

So, if you want to go through what we have done, what we have done is settle the nurses dispute and provide an additional 12 per cent in funding for the health system. We have actually provided, as I said before. We have actually purchased that additional vital state-of-the-art equipment for oncology. We have actually undone the damage that you did in relation to radiation therapists by refusing to fund them and actually forcing them interstate.

Fancy keeping the most vital cog in your allied health wheel—namely, radiation therapists—at a pay rate scale 26 per cent less than their colleagues interstate and then whingeing, blowing and complaining with this froth and bubble about how we cannot retain them and how we cannot actually provide radiation therapy services on time, because you drove them out of the territory with your paltry pay. Twenty-six per cent less than they were getting across the border—that is your legacy.

These are the range of issues that we have been left to clear up. We were left to clear up the nurses dispute, and to pay for it. We were left to actually clear up radiation therapy—to fund it and to provide an answer. We were left to actually pay for the necessary oncology equipment, the multi-leaf collimators, to actually enhance cancer treatment that is now so much part and parcel of what we do out there. We have provided a convalescent facility, something you have talked about and talked about but would not deliver—had no intention of delivering.

Mrs Dunne: I raise a point of order, Mr Speaker. I would like to point out to you, Mr Speaker, that I asked a specific question about accident and emergency and bed availability and the impact that that had on people's hospital stay. I did not ask about radio oncology.

MR SPEAKER: I think you asked what the government had done.

MR STANHOPE: Yes, you did, you asked what the government had done. This is the point—you asked.

MR SPEAKER: I think the Minister for Health is telling you.

MR STANHOPE: That is absolutely right. But that is this attitude that the Liberal Party takes—what have you done about this little bit? This little bit depends on all these other bits. It is an integrated service and system we have; there is a range of priorities. The Liberal Party members jump up and say, "What have you done about waiting times?"—because it is not just about waiting times, is it? It is about all those other areas which you persistently underfunded—the areas that you did not fund and left to bleed to death.

I will mention something that was just confirmed two weeks ago, and we'll actually have to deal with that; it might be an issue for tomorrow—to have a really close look at mental health funding under the Liberal Party. Let us have a look at mental health funding under the Liberal Party—not a pretty sight. That is something else you have left us to clear up. You left us in a situation where we are 17½ per cent worse off than any other jurisdiction in Australia in relation to per capita funding for mental health.

Mr Humphries: Oh, nonsense!

MR STANHOPE: It is not nonsense; it was confirmed two weeks ago. That is what you have bequeathed us. Then you say, "What are you doing about waiting lists?" You cannot look at it in isolation. There is a whole range of priorities. Mental health is a major priority. Are you prepared to sit and say it is not? That is what we funded as well.

Look what we did in relation to disability services. Have you forgotten about the Gallop report? Have you forgotten about the legacy you left us and the people of Canberra in relation to disability services? Have you forgotten about—

Mrs Dunne: I raise a point of order, Mr Speaker. I put the point of order to you again, Mr Speaker. I have been specific about asking what is the government doing about addressing the issues of extended waiting times in accident and emergency and the impact that this is having, which was drawn to the attention of the government and others

by the head of emergency medicine at the Canberra Hospital. We do not need to have a rear-view mirror vision of what the government thinks it wants to talk about when it comes to health. I would like a specific answer to a specific question.

MR SPEAKER: It is not a point of order, Mrs Dunne. Just resume your seat.

Mr Corbell: On the point of order, Mr Speaker: there is no point of order. Mr Stanhope is outlining the pressures that face the health system. He is making the point that you cannot deal with accident and emergency in isolation, and I think his answer is entirely in order.

MR SPEAKER: The minister is entitled to answer the question the way he wants to. You asked a question in relation to particular services at a hospital. I think the minister is explaining to you how you cannot consider them in isolation, and he is entitled to do so.

MR STANHOPE: Thank you, Mr Speaker. I will conclude by drawing attention to the major structural changes that have occurred in relation to the department of health. Following on from our determination to implement the Gallop report, which we did, members will be aware that we commissioned a significant study by Mick Reid, ex-Director General of Health in New South Wales, who produced a report that was almost universally accepted within the sector in the ACT about the way forward in relation to enhanced health care delivery in the ACT. That involved the need for us to actually develop a collaborative and integrated system for health care delivery in the ACT, as a result of which we are now implementing major structural changes to health. We have dispensed with the failed purchaser/provider model, something else bequeathed to us by the Liberal Party and, of course, another experiment that failed.

As a result of this, legislation will be introduced—and I hope it will receive the support of the Assembly—in relation to the final aspects of the restructure of the portfolio. We now have for the first time in eight years an integrated approach to health care delivery, through a department that is responsive, responsible and accountable, which will, in time, I am sure, lead to far better outcomes in health care delivery in the ACT.

They are just some of the things we have done. As you say, Mr Speaker, they put into perspective some of the challenges we faced in terms of the enormous and appalling shortcomings that we inherited from the Liberals when we came to office, particularly in relation to the areas that I have touched on, and of course it does reflect very much on our capacity in a whole range of areas. We are dealing with those, and we are determined to meet the challenge.

In that context, there will be a second health summit, which will again involve, I think, 100 to 150 participants, to finalise a health action plan. That will occur in the next week or so. All of those involved in the development of that plan will come back together again for the delivery and launching of a health action plan which will inform our program for the next number of years in relation to health care delivery.

In that context, of course, after a year in this place, we all wait with bated breath—but with absolutely no expectation—to see just one policy initiative from the Liberal Party on anything. When are you going to give us some policies? When are you going to give us a bit of vision, other than this mad scramble for advancement? We know you are a bit

preoccupied. Once you get to this out of the way, are you going to start working on policies—once you get the Senate out of the way; once Mrs Dunne gets her leadership challenge against the deputy leader out of the way on Friday? Is it actually a challenge against the deputy leader or a challenge against the leader?

Once we get these things out of the way, when will you give us a policy? When will we see the first policy from this opposition? When will we see one policy from this opposition? What will it be in relation to? What will be the first policy to come from this idle, lazy, policy-free area? Mr Stefaniak, will you give us a policy? Mr Cornwell, will you give us one? Mr Pratt, have you got any? Have you got a single policy in you? Have any of you got a single policy in you?

MRS DUNNE: Mr Speaker, I have a supplementary question, and I do hope that the Minister for Health does not need to go to accident and emergency to get a powder for whatever his condition is. But, seeing as he has not answered the question, I will ask it again. What concrete steps have you taken to address the problem highlighted by the head of emergency medicine, Dr Drew Richardson?

Mr Corbell: On a point of order, Mr Speaker—

MR SPEAKER: Mrs Dunne, a question fully answered cannot be renewed.

MRS DUNNE: Yes, but it hasn't been fully answered. It hasn't even been partly answered.

MR SPEAKER: Let me defend myself here. The question has been fully answered and, unless you want it fully answered again, I would just resume my seat. I mean, that is just a repeat of the original question, and it has been fully answered.

Mrs Dunne: On the point of order, Mr Speaker: I have asked a specific, concrete—

MR SPEAKER: There is no point of order. Resume your seat.

Mrs Dunne: There was a point of order taken by Mr Corbell. On the on the point of order: there was a specific question: what concrete steps have been taken? It has not been answered, partially or even in an infinitesimal way, and I would like an answer to the question.

MR SPEAKER: Well, I've got to say, from where I sit it sounded as though it was answered pretty fully, and the question will not be renewed.

Mr Smyth: I raise a point of order, Mr Speaker. The initiatives that the Chief Minister refers to, of course, were all taken before Dr Richardson announced his findings.

MR SPEAKER: What's that got to do with this?

Mr Smyth: Well, because the question specifically asked: having had the benefit of Dr Richardson's report, what will you do now?

MR SPEAKER: That is not a point of order either. Resume your seat. The question was asked and it was fully answered. Whether you like the contents of the answer is a matter that you are just going to have to agitate around. But it has been fully answered.

Reconciliation

MR HARGREAVES: My question is addressed to the Chief Minister, and I will not need a supplementary question because I am sure that the question will be fully answered on the first go. Chief Minister, what progress is the government making towards reconciliation between indigenous and non-indigenous people of the ACT?

MR STANHOPE: Thank you, Mr Hargreaves. That is a timely question. There was a very significant function at lunchtime today, a lunch that I attended along with Mr Smyth and my colleagues Mrs Cross and Ms Dundas. I apologise to Ms Dundas. I did not recognise you at the lunch; I was not aware of your presence. I am sorry about that. But it was a very significant lunch, attended by four leading Canberra organisations—the ACT Chamber of Commerce, BusinessACT, the Property Owners Association, and the Chamber of Women in Business.

They acknowledged that they had signed pledges to reconciliation on behalf of their organisations. I think that is a very significant thing for those major organisations from the business community to be doing. It was a lunch which was well attended by members of the ACT business community. There was, I have to say, a very significant presence of property owners. I believe the entire board of the Hellenic Club were in attendance, as was the Ngunnawal Elders Council. There were also significant numbers of representatives from the Chamber of Commerce, BusinessACT, the Chamber of Women in Business and the Property Owners Association.

I say that, in a way, by way of digression, Mr Hargreaves, but the question is timely and it is appropriate that I acknowledge the significant thing that those organisations have done. It is also appropriate that I inform members, in the context of discussion around reconciliation and indigenous matters, that the Ngunnawal Elders Council, which the government has supported in its establishment, met yesterday to discuss a range of issues of concern to the Ngunnawal people in the ACT.

They had a number of items on their agenda. They are a new organisation comprising 12 elders, representing 12 different branches or sections of the broader Ngunnawal community. They are enthusiastic, but, I guess, sober in their acknowledgment of the challenges that face indigenous people continually in terms of the level and extent of disadvantage which they suffer, and in relation to the need for reconciliation and the ongoing discussion and debate surrounding it.

But I take the existence of the Ngunnawal Elders Council and its presence at the function today as a very positive and great sign of the progress we can make. I say that similarly about the pledges to reconciliation that were made today and the involvement of the two co-chairs of ACT Reconciliation, Matilda House and John Murray. The enormous role played by the Australian Federal Police in the reconciliation process in the ACT is a credit to the AFP, extending to all of its officers to the extent that they are involved in reconciliation in the ACT. Of course, they are integral to success in a whole range of

areas, acknowledging the enormous over-representation of indigenous people in the criminal justice system.

In relation to reconciliation and the work that is being done, members would be aware that the Council for Aboriginal Reconciliation acknowledges that there are four aspects to achieving reconciliation at the national level: recognising Aboriginal and Torres Strait Islander rights; promoting economic independence; sustaining reconciliation; and overcoming disadvantage. Today's lunch touched on and dealt with each of those particular issues and talked about progress being made for recognition of Aboriginal and Torres Strait Islander rights—and much has been done in that regard in the ACT.

Just the simple notion of erecting at each of the entrances to the ACT a sign welcoming people to Ngunnawal country is an enormous, powerful symbol of prior ownership of this place. The Ngunnawal Elders Council had on its agenda a proposal to consider the double naming of geographical features around the ACT. I have not received its advice on that yet, but I am one that supports that proposal very strongly.

On the issue of promoting economic independence, the guest speaker today was Dr Mick Dodson. He took as the theme for his speech the challenges facing indigenous people, and he used himself as the case example, in seeking to establish a business or to enter employment. He said that at the heart of it, of course, is the incipient racism or the overt racism which indigenous people in many instances still confront—although, we hope, at ever-decreasing levels.

Sustaining reconciliation is the challenge for all of us. I think there is a view abroad that as a community we have not sustained the challenge of reconciliation as well as we should, and it was very much a theme. On overcoming disadvantage: we all know the work that needs to be done to overcome disadvantage in indigenous communities.

I will conclude by mentioning discussions I had with Agnes Shea as the spokesperson for the Ngunnawal Elders Council. They identified as the number one issue facing their community the level of alcohol and other drug abuse by indigenous people, in particular young indigenous men and indigenous men.

This has been identified, in the discussions yesterday and today, as the primary issue facing indigenous people in the ACT, and an issue which they would like the government to further concentrate on. Of course, it has to be said that issues around alcohol and other drug abuse are very much symptomatic of disadvantage and, indeed, in relation to indigenous people, discrimination. It is a major challenge for us that this continues to be such a significant problem in the Canberra community.

Gold Creek joint venture

MS DUNDAS: My question is directed to the Minister for Planning. I ask this question here in the chamber because I believe I raised it in estimates and I have asked a number of times since then with your office. The information has not been forthcoming, so I will ask it again.

I refer to page 563 of book 4 of the current budget papers, which is the land and property cash flow statement. I note that it is a discontinued area, but I still seek information. Can you please outline the circumstances under which the joint venture with the Gold Creek Country Club was negotiated, and whether the joint venture has yielded the ACT government a net loss or net profit to date?

MR CORBELL: Mr Speaker, I do not have those details to hand, and I apologise to Ms Dundas if she has not received the information she has been seeking. I will endeavour to get that information to her before the close of business today.

Temporary remand centre

MR STEFANIAK: Mr Speaker, my question is addressed to the Minister for Police, Emergency Services and Corrections. I refer him to an article in the *Canberra Times* today, about the five remandees who were sent to Junee due to the lack of a qualified nurse at the temporary remand centre. I quote from the article, which said:

> Mr Quinlan said the lack of a nurse to administer methadone was a glitch that he should have been told about earlier. The problem would be fixed within a few days to ensure as few remandees as possible were being sent to New South Wales.

I will also quote from a media release issued by Mr Smyth on 9 July this year, which said:

> With the budget allocation for the "mini-prison" at Symonston there appears to be no funding for the health services that should accompany it. Adequate health services are vital as there is compelling evidence that a large number of remandees and offenders have issues with mental health, substance abuse, or have a history of sexual and physical abuse.

The government response to recommendation 42 of the Estimates Committee report on how remandees' health needs will be met stated, "Health services will be provided as required at the temporary remand centre." Minister, when was the lack of a nurse at the temporary remand centre brought to your attention?

MR QUINLAN: Thank you, Mr Stefaniak. The answer to that is yesterday.

MR STEFANIAK: Mr Speaker, I have a supplementary question. Minister, why did you not provide for a nurse when you developed proposals for the temporary remand centre, when you developed the corrections budget for the year 2002-03 or, indeed, when the Estimates Committee drew it to your attention?

MR QUINLAN: Let me say, for Mr Stefaniak's benefit, that the whole process of the various services set up at the remand centre was negotiated through between Corrections and Health. I was not in the room, so I don't know whether we had a little bureaucratic tug of war or whether we had a misunderstanding as to the level of requirement right up until the last moment. But certainly there had been an agreement between the agencies to provide the mental health services, the drug and alcohol counselling and the appropriate nursing services.

I think the glitch might have been in the assumption that might have been made that prisoners that were sent to Symonston might not need all of those services. We will be debating the remand centre later today, I think, or this evening. There is a protocol for the processing of prisoners and designating those to go. At first blush, after that particular net filtered through, we ended up with, still, a raft of prisoners who were on methadone or other medication—because there may be others that have hepatitis C or whatever. I am not an expert, so I will not venture any further than that.

So, at the end of the day, we ended up with prisoners designated to go out of Belconnen but who still needed the nurse. I am still amazed—and we are still following through—that that problem could not have been solved in a relatively short space of time. But it is not all about saying the resources were not and could not have been found. Certainly we did not sit down and budget for all of those itemised resources. I think that goes back to comments that I made to Mr Smyth about the low level of thought that goes into questioning the government's processes. As you are well aware, as a former minister, this level of service can be negotiated within the process.

I would have expected that, if it could not have been negotiated within that process and there had been a breakdown that was capable of being notified to me, I would have known about it. That is what the comment was about. The comment was also about the fact that it was quite clear that Mr Smyth was armed with information that I did not have in the middle of yesterday—not a satisfactory situation, I would have thought. It happens, and will happen. Nevertheless, that is the reference to which I have gone.

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

Rental bonds

MR STANHOPE: Ms Dundas asked a question yesterday about rental bond money. Earlier this year Ms Dundas also claimed that the government received a $400,000 windfall from tenants. Ms Dundas came to this conclusion by comparing 2001 revenue and expenditure on services provided directly and indirectly by the government concerning residential tenancies.

She characterised this result as a hidden tax on renters, and claimed that the government was fleecing money off tenants. Subsequently, an editorial in the *Canberra Times* of 23 June 2002 claimed that the government had not used $380,000 in tenants' money for tenants' benefit. The editorial suggested that this money be repaid to tenants or perhaps used to subsidise the cost of actions in the Residential Tenancies Tribunal.

Mr Speaker, I strongly refute any suggestion of impropriety. Revenue used to provide services to the lessors or tenants in relation to residential tenancies fluctuates from year to year. In some years, such as 2000-01, the interest revenue was high and exceeds expenditure. In others, such as 2001-02, the interest revenue is lower than expenditure.

The continued provision of services in relation to residential tenancies is dependent upon equalising revenue fluctuations over a number of years. Ms Dundas based her figures in her initial article on the year 2000-01, when the interest revenue obtained by the Central Financing Unit in Treasury was unusually high, approximately $1.3 million. However, in 1998-99, for instance, the interest revenue was only $727,000. For 2001-02, the annual

report shows that the interest revenue was only $760,000. Over the past four years, approximately $3,740,000 was earned in interest. This averages out at about $936,000 per year. The claims made in this place, and repeated and embellished in the *Canberra Times*, are dependent on the demonstrably false premise that interest revenue will remain at the unusually high 2000-01 rate of $1.3 million. It simply will not.

The reality is that there is no windfall, simply the continuing proven management of funds to ensure the continuance of services in this area. I might add that these arrangements have been in place since the Residential Tenancies Act 1997 commenced. Ihave a chart showing interest revenue and expenditure of money relating to bond money for the period 2000-01, 2001-02, and anticipating 2002-2003. In relation to 2001-2002, the chart indicates where the relevant information is included in the department's annual report. The table also gives a brief overview of the purpose for which the money was expended.

As Ms Dundas claims, the 2001-02 annual report does not contain all of the information in the chart in a disaggregated form that would facilitate comparison. The information is there, but it is not in a user-friendly form, and I acknowledge that. My office has prepared a cash chart, which I will table for the purpose of directing the department to include this chart in future annual reports for the reason of identification of the rental bond financial management position. I hope this will overcome all misunderstandings in the future. Mr Speaker, I table the following document:

> Residential rental bond assets—Suggested response—Answer to question without notice asked of Mr Stanhope by Ms Dundas and taken on notice on 19 November 2002.

WorkCover

MR CORBELL: Mr Pratt asked me, in question time on 14 November, about the WorkCover annual report for 2001-02. He asked me if I could advise the Assembly who conducted the updated assessment on the outstanding liabilities for the HIH fund.

I can advise Mr Pratt that all references in the WorkCover annual report actuarial assessments are to assessments being undertaken by the workers compensation supplementation fund actuary, Taylor Fry. The fund manager has advised that the data used for the earlier actuarial assessments is incomplete and that further work on correcting data is necessary before any reliable estimates of HIH's liabilities can be finalised.

As both the original assessment and the updated assessment referred to in the WorkCover annual report were based on data that has now been found to be incomplete, I will not be tabling these assessments. To do so would create confusion about the amount of future HIH liability. When the data problems have been corrected, and a reliable actuarial assessment has been produced, I will make that available to members of the Assembly. I expect that the corrected assessment will be available early next year.

Connors inquiry

MR CORBELL: Mr Speaker, in question time today, Mr Pratt asked me if the Department of Education, Youth and Family Services will be receiving a draft copy of the Connors report. The answer is: the department will not be receiving a draft report. The final report will be presented to me.

ACTION buses

MR CORBELL: Mr Speaker, in an answer to a question from Ms Gallagher today, Iindicated that there had been an increase of over 200,000 boardings on ACTION. I have to correct the record. The total increase has been 166,000 boardings.

Answers to questions

MR SPEAKER: During question time, Mrs Dunne raised a point of order in relation to a question which was asked by Mrs Cross. I think Mrs Dunne attempted to rely on the same-question rule in relation to Mrs Cross' question. The relevant standing order is 117 (h), which reads:

> A question fully answered cannot be renewed.

She referred to a question asked by Mr Pratt last Tuesday. Mr Pratt's question went to issues around terrorism and the Bali tragedy and the increased risk to citizens in the ACT and posed the question:

> What instructions have you given to police and emergency services regarding the heightened threats to the community in the wake of recent events and subsequent intelligence flowing from those events?

Mrs Cross' question went to an announcement by the federal government yesterday, according to the question, and to the issues of terrorism and al-Qaeda operatives and government buildings being high on their list of possible targets. The question that Mrs Cross asked was:

> Minister, can you confirm whether the government has taken measures to increase security, and have such considerations included the Legislative Assembly precincts?

Clearly, the questions are different and they are also made against a different background. If members raise these points of order in the future, I would appreciate it if they would have a look at some of the background before raising them, because the same-question rule also relies on similar events. Events have moved on in relation to this particular matter.

Community sector organisations—funding

MS TUCKER (3.51): I move:

That this Assembly:

(1) notes:
  (a) the importance of the work of non-government organisations in:
    (i) the provision and delivery of community services;
    (ii) the advocacy and representation of members of our community those who are economically or socially disadvantaged or excluded;
    (iii) contributing to the territory-wide understanding of social and environmental concerns;
  (b) the generally poor standard of accommodation and equipment in the community sector;
  (c) the relatively low level of wages accorded workers in that sector; and
(2) calls on the government to support the community sector in future budgets by:
  (a) investing in a marked improvement in the quality of their accommodation and equipment;
  (b) ensuring that staffing levels are adequate to meet the demands placed upon them; and
  (c) ensuring that the wages and conditions of community sector employees are brought appreciably closer to levels in the ACT public service.

I am moving this motion today because we are at a vital moment in this government's program. The second of three budgets is in development. In broad terms, this time around, it will be addressing the measure of its achievements. This next budget could be a historically significant vote of trust in the non-government organisations which make up Canberra's community sector—not because it would stop them from complaining, but because it is the most constructive, far-sighted and best thought-through response to our situation.

A few years ago, we had a lot of fun with the notion of social capital, as espoused by the Carnell government. Social capital was a concept put forward by several people, but Eva Cox was one of the people who offered a useful way of understanding how we should invest in social relations and activity—and the extraordinary value of that investment. By the time it came to the Carnell budget, however, it was the rationale for a grab-bag of small-scale social programs which only nominally addressed the challenges.

The government ransacked the ideas of the sector and adopted the language, but failed to generally work with the sector to achieve the outcomes that we all apparently want. Unfortunately, subsequent budgets have done nothing but continue that process. The poverty task force was a good initiative of the last government. The process was fine, and the recommendations were good, but they have never been fully implemented.

ACTCOSS has warned us that the community sector—which is basically a loose, wide-ranging, hard-working collection of non-government organisations responsible for delivering care, advocacy, guidance, support and protection throughout our society—is no longer viable. Whilst in different ways we all contribute to the health and wellbeing of our society, government cannot escape its key responsibility to provide fundamental financial support for this sector. We cannot afford to underestimate the importance of the community sector.

Most of us aim for an inclusive and humanist society, where everybody has the right or capacity to participate in our world—and we agree that, together, we have a responsibility to support that participation. However, there is clearly no longer a social or religious framework which offers us one coherent path to follow—ours is a plural society in a fairly constant state of change. Changing work patterns have fractured the traditional social structure that filled in the geography where we lived a generation ago.

For most of us, the world of work is increasingly demanding. Fewer people stay at home now unless they are ill, frail, unemployed or have a disability. We are more closely connected with people of our own age and interests than we are to others in our neighbourhood. Families, on average, are smaller than ever before. There is a kind of isolation and alienation impinging on all of us, and especially on those who suffer concrete disadvantage. Social exclusion is the language we hear today. In that context, it is mostly the small NGOs that provide the connectedness, innovation and human support which can give us a sustainable society—a society that is alive and responsive.

I could give pages of references and footnotes to justify this analysis, to support my view that the community sector must be a top priority for governments today. However, the reality is that the real costs and the real values are not being adequately factored in. As it happens, people who work in the community sector often give it up when they are worn down. They become consultants or they join the public service, where the work is mostly less confronting and demanding—where at least they can take holidays, and they get paid at a reasonable rate. A number of people have started out in the youth sector, for example, and have moved into a government program or policy unit for a better career. Yes, it is a great training ground, but you would not want to stay there, would you?

Speaking of the youth sector, it is ironic that this Labor government has disadvantaged the youth sector significantly in an effort to save money, by giving them a CPI increase less than that of other services. Somehow, the youth sector was on the wrong side again, just as it was when Kate Carnell flexed her muscles a few years ago. The issue of wages and salaries is fraught. The latest change to the SACS award, which has coverage of most employees in the community sector, has been to significantly increase the salary costs for people working at a lower level.

In terms of how we treat employees, this is entirely reasonable. The problem is that small NGOs never have much room to manoeuvre—they have little or no surplus. If they build up significant surpluses, they might find that their operating grants—if that is how they are funded—are cut back. Once again, with no additional income to cover these increased costs, Canberra's community organisations are having to sacrifice invaluable programs to remain viable. This is distressing, destructive and demoralising.

Furthermore, the award has reduced salary levels at the top end of the scale, although people already employed at such levels will not face wage cuts. As governments have shown themselves to be entirely unlikely to fund organisations above the level of awards, in the future, as top staff move on to other challenges and opportunities, the community sector will face increasing difficulty in attracting and retaining managers and executives of high quality. In other words, it is not simply that the situation is not improving, it is in fact getting worse.

There is also the question of a digital divide between community organisations, including countless refuges such as the Junction, Shelter, Youth Haven, People First and the Environment Centre. How does their IT compare with the basic ACT government set-up—or that of a law firm or supermarket? How do the office conditions of the economists in Treasury, who are making these decisions, or of CTEC out at Brindabella Park, compare with the flaking walls and wobbly boards in Directions ACT, which is still trapped above Croissant D'or in entirely substandard conditions?

Where is the planning and thought in allowing the replacement of the Griffin Centre to go ahead, foot for foot, with no strategic plan, no understanding of future needs, and absolutely no attempt to resolve the mess created by Gary Humphries and Kate Carnell?

It does not matter to the groups and organisations which use community facilities that the first and worst decision was made by one party and not another. What matters in the end is the result. When it comes to community facilities, so far with this government the result is still bad.

West Civic is the next opportunity. Even with a clean slate to work on, there is no indication yet that the result will be better—that the vital and exciting role community organisations can play will be properly considered in the planning process.

Apart from planning, there is also the very important question of how government supports and responds to innovation and creativity. Next time a youth centre and high school develop an out-of-school training program which provides new opportunities for kids for whom school is less and less an option, how about this government recognises innovation and creativity for what it is and ensures that that program gets the minimal support it needs?

Finally, and most importantly, I want to reflect on the clients, the patrons—the users of these community-based services; the people for whom the advocates advocate; the people cared for by the carers; the consumers of drug and alcohol and mental health services—the people who eat the free food. How do we value the people who are otherwise excluded? This motion is about them, and it is also about the environment. Our ethics, as a society, are reflected in how we support these people. These related services and advocacy groups are critical to the building of social and environmental sustainability.

MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women) (4.00): Mr Speaker, the government is happy to support the sentiment behind this motion, which we take to be support for a healthy non-government sector and the important services it provides to the community.

I am happy to restate the government's commitment to a strong community sector. Non-government agencies play a key role in providing human services, particularly to those who are disadvantaged. They do this not only on behalf of the government, but also in partnership with the government. It is this partnership approach, in both service delivery and policy development, that the government is keen to foster. That partnership is well articulated in the compact—the document which sets out the principles behind the relationship between the community sector and the government.

The community sector includes a wide range of not-for-profit organisations, consumer advocacy bodies and self-help groups. I fully agree with Ms Tucker that advocacy and representation of the socially excluded is a critical function of the community sector. This includes ensuring that individuals receive key entitlements and quality services. Representation also covers broader community development activities such as promoting participation and service planning. The government is committed to the notion that services for any target group will be more effective if potential consumers are involved in the service development phase.

Mr Speaker, I note that the motion refers, at clause 1 (b) to the generally poor standard of accommodation and equipment in the community sector. In recent months, government agencies have been taking a range of steps to review the condition of community facilities and act on the findings.

The former Department of Education and Community Services recently commissioned and received two relevant reports—a strategic framework for the management of community services facilities and a building condition assessment of community facilities. These reports have confirmed that the condition and accommodation standard of some government-owned community facilities does not meet community expectations. The government recognises the need to address the issues identified.

With changes in administrative arrangements earlier this year, responsibility for these facilities is now more broadly spread across agencies. The new Department of Disability, Housing and Community Services is undertaking a review of its asset management plan, with a view to formulating a strategic approach to asset management. It is also formulating an integrated approach to asset maintenance through its minor new works and repair and maintenance programs. This will concentrate on developing long-term programs to address OH&S, access and equity, amenity, functionality and viability for community sector occupants of government-owned community facilities. Programs will also focus on works to upgrade facilities to meet changing building standards, energy efficiency improvements, maintenance of building fabric and structure, and upgrading of grounds.

The Department of Education, Youth and Family Services also manages a range of community facilities including schools, preschools, child-care centres and youth centres. It regularly undertakes building condition assessments of these facilities and develops appropriate asset management plans to keep the facilities in a safe and suitable condition for delivery of services to children. In addition, there are ongoing programs for the upgrade of facilities and playgrounds funded by government through the annual capital works program. This work means that I am happy to support the motion which sees marked improvements in the quality of accommodation and equipment for community organisations.

In relation to certain aspects of the motion moved by Ms Tucker, there are some potential budget implications. The government support for this motion is clearly on the understanding that all decisions we make in relation to budget matters will be made in the budget context and will not be pre-empted by the government. On my reading of this motion, it does not require us to do that, although it does refer to the government's support for the community sector and future budgets.

As I say, the government is happy to support this motion, to the extent that it refers to the budget, and government support through a budget. We take it as given that it is understood that all decisions will be made in a budget context by a budget cabinet—and our support for this motion does not in any way pre-empt that.

Ms Tucker also seeks the Assembly's acknowledgment of the relatively low wages in the community sector. She also seeks future budget commitments relating to staff levels and wages and conditions in clauses 2 (b) and (c).

Mr Speaker, it needs to be made clear that the government is the funder of community-based services, not the employer. We do not have a direct say in staffing levels or the wages and conditions of these organisations, and we do not seek that. However, we already provide evidence of our commitment to assist the sector in meeting significant wage pressures.

In July of last year, the Australian Industrial Relations Commission handed down the 1994-98 safety net adjustments under the SACS award. The not-for-profit community sector was faced with increased costs that could not be met within existing funding levels unless there were reductions in services. In December 2001 this government agreed, through a second appropriation, to meet these award-related increases and hence retain the same service levels. A total of $4 million was provided to the Departments of Education and Community Services and Health and Community Care. In a third appropriation, the Department of Urban Services also received $80,000 to meet award increases for non-government housing providers.

Interim payments for 2001-02 were made to non-government service providers as quickly as possible, based on their best estimate of award-related costs. Following an independent validation process earlier this year, ongoing payments to the sector were confirmed and paid.

Services were fully supplemented for increased wage rates and associated on-costs. Subsequent decisions by the commission this year related to living wage adjustments for 1999-2002 and the minimum rates for the SACS award. It is acknowledged that this decision, which the government has not yet fully examined, poses some difficulties for the community sector. The government will work its way through the decision and decide on a course of action.

Mr Speaker, it is clear that the government has a clear track record of financially supporting the community sector where an industrial decision impacts on funding. As I said before, we are not at this stage in a position to determine staff levels set and wages paid by employers in this sector. I make that comment in the context of the wording of Ms Tucker's motion, insofar as it calls on us, in a way, to make certain budget decisions which we are not at this juncture in a position to make—or it at least suggests that possibility.

In conclusion, Mr Speaker, we support the motion's recognition of the need for a viable community sector. That is very much at the heart of what we do, what we say and what we intend in our views and visions for Canberra. We agree that the sector needs to be supported by accommodation and equipment of a reasonable standard, with funding to

enable employers to meet award obligations. We give general support to this motion as it stands.

I repeat that I am happy to restate the government's acknowledgment of the critical work of the government sector, and re-emphasise the commitment to a strong community sector, equipped to deliver quality services to the Canberra community.

MR WOOD (Minister for Urban Services, Minister for the Arts and Minister for Disability, Housing and Community Services) (4.07): Ms Tucker said that we cannot afford to underestimate the importance of the community sector. Indeed we cannot, and do not—it is a most important sector in our community.

Ms Tucker said that the community sector has to be top priority—I believe it is. It is the most important sector. The government relies on the community sector for the delivery of many of its services—there is no question about that. Successive governments, going back many years, have had a policy of contracting out to community agencies a great amount of their work. A good part of that is in my department—the Department of Disability, Housing and Community Services.

Think, for example, of the disability sector and the amount of work contracted out. Bear in mind too that the government, over a period, has played a very significant role in disability housing. It is a good policy to do this, because that is the sector closest to the community, which best understands the people with whom they are dealing and their corner of the community. It is therefore the sector best able to deal with the issues arising there.

It is certainly the case that we should not impose on the community sector. Many of the organisations that we all meet so often began on a voluntary basis, and are still run as voluntary organisations with voluntary boards. Over the years, they have developed considerable expertise. They have become very efficient and more than competent—so the government has been in a position to hand out contracts to them.

Take just one part of that—the various community services such as the Tuggeranong Community Service, the Belconnen Community Service and that range of groups. Between them, they would have a budget in the vicinity of $30 million—perhaps up to $40 million. They have large work forces. Many of them work part time and they do an enormous amount of work—yet each of them is run by a voluntary board.

I believe that, in Canberra, we have been fortunate that we have a very skilled retired work force in the administration area. Many of these boards are well served because of the calibre of the people on them. These boards have built up expertise over a period and are more than competent. They deliver services efficiently, professionally, and with dedication. At one time, in some quarters it might have been thought that all you needed was dedication. That is not the case—we should treat the members of these boards as professionals. We should not regard a board as a body whereby they do the task for the love of it and can therefore carry a larger burden. That is not the view of the government.

The government views these people as professionals and, in accordance with what Ms Tucker says, I agree they should be paid as such. Under the former government, when we moved to purchaser/provider schemes, that system was used—as I heard

everywhere I went—to put the squeeze on community bodies, which were very often required to deliver more, and sometimes with less money. Certainly we would argue for accountability, efficiency and for being very clear as to what is being done. However, as you know from the discussion before the election, and in some of the actions which have taken place since, we do not hold the same view of the purchaser provider model. We do not believe that model should be used to place an unnecessary squeeze on community agencies.

I refer to another matter. I do not think Ms Tucker developed it in her speech but she certainly has it in her motion. I refer to the facilities at which many of these people work. I do not argue that many of them are not in great condition. The Griffin Centre is a case in point. It will go and will be replaced by a better building. I commend those who made the decision to add another $1.7 million and add floor space. That was before my time. Although some people say it is not costing the government, it is costing the government—that was part of the deal. Somewhere in that deal, you could factor in a very significant sum of money—some millions of dollars—for the revenue forgone as we arrange to move the Griffin Centre to the new complex.

From all the advice I see, the former government did put a squeeze on maintenance. Maintenance was not readily available. Sometimes, whoever is around, maintenance is something you think can be cut because it is not the first need, but it always catches up with you. We are having to look at what we are doing in respect of maintenance. Among the priorities in the next budget, as we balance up what we have to do, we will be looking at maintenance and struggling to try to find money to catch up that ground. One day in the future, Ms Tucker, you will see how that went. You will also see how we weighed it up against increased services in other areas.

There is another important area that I do not think Ms Tucker emphasised—that is, that these community agencies play a critical role in policy development, in providing advice to government and, indeed, to all members. There is pretty much a pattern—or there was when I was in opposition—of tracking around to as many agencies as you can get to. There is a very large number of them. I would talk to them, listen to them and get a report on how things were, on the ground. The government formally goes to a number of these agencies—ACTCOSS is the standout example, and there are others like that. Indeed, we provide the level of funding necessary for them to fulfil the role of forming a link between this Assembly and the community.

Mr Stanhope mentioned, in passing, some of the areas. For example, we had to increase our contribution to ACT Shelter because they are paid under the SACS award. We had to find some more money because the award went up. Ms Tucker could argue—and I will not dispute it—that the awards are not high enough, but they are the awards. We have to top up that award when the industrial commission gives increased salaries to the people working in those groups.

We recognise those people as a vital component in the role of government—not just in the way of contracting out a very large amount of work to them, but in taking advice from them and consulting with them and all the subgroups that belong to them—as we develop policies for the territory. We recognise just how important these groups are. We set out to back up that recognition with the sorts of measures in Ms Tucker's motion.

MR SMYTH (4.16): Mr Deputy Speaker, the opposition will be supporting the motion because I think the sentiment is something with which all members in this place would be in agreement. With regard to point (1) (a)—the importance of the work of non-government organisations—the previous government started the work on the development of a compact with the community sector. It gave clear recognition to the importance of the provision and delivery of community services, advocacy and representation, and the fact that they do contribute to territory-wide understanding of social and environmental concerns. Indeed, many times we went to the NGOs and the community sector to seek their advice and assistance.

The best example of that is the work of the poverty task force, which clearly highlighted the state of those on lower incomes in the ACT, and the various sorts of poverty people face. So we certainly have a good understanding of that. We sought to formally recognise that through the compact work completed early this year by the current government.

It is good that that work has taken place. However, issues concerning accommodation, equipment, and the relatively low level of wages are yet to be addressed. For instance, we would have seen that codifying the financial arrangements through the purchaser provider agreement would not only provide accountability, but also would ensure that organisations are paid appropriately for the services they provide. Of course, that was overtaken by the AIRC decision and the increase in the SACS awards. The then government and the incoming government agreed, in the caretaker period, that this flow-on would occur. However, there are unintended consequences there which have perhaps not been addressed in entirety. That concerns the terms and conditions of workers on overtime or working outside normal hours.

I know of one organisation which, under the award, used to pay for only three hours of service when a staff member might sleep at the organisation's place of business, where services were provided. Under the current award, they must be paid for the full eight hours of the shift. That has placed a significant burden on organisations that, even though they have received the increase in the SACS award as a percentage of the moneys they were paid, have not received extra payments to cover what they now have to pay.

For one organisation, the ACT government provided partial funding. However, that funding was half of what it needed. Under the terms of the pay increase handed down by the AIRC, they got $28,000—however, to cover the shortfall, they needed $55,000. There are a number of organisations like this, where, under the new arrangement, they have not been fully compensated for the work they do. The issue of how we tackle future increases is something the government will have to address in the near future. These organisations are covered by the SACS award. Perhaps an argument should be mounted as to the appropriate cover and appropriate wages people working in this sector deserve. That is something of which we need to be aware.

The previous government undertook some reviews—particularly the community facilities review—to find out what we had, what state the services were in, where they were and what purposes they were serving. That is now a review the current government has. Indeed, part of our commitment is seen clearly in section 56, redevelopment. Mr Wood has already alluded to the additional $1.7 million in funding for the extra space. There will be new facilities and extra space. The facilities will be entirely

upgraded, in contrast with what exists in the current Griffin Centre. There are extra dollars going in there.

The previous government also looked at things like social capital—and we funded projects. You can be disparaging of those projects if you wish. However, growing out of the poverty review and the poverty task force work, in our last budget we were certainly attempting to address the area of early intervention. We were building greater capacity to support these groups.

With all that in mind, the opposition will support the motion. We look forward to what happens in the life of this government.

MS DUNDAS (4.20): The ACT Democrats support this motion and thank Ms Tucker for bringing to the attention of the Assembly today the plight of workers in the community sector. Today is undoubtedly a day when the Assembly is throwing its support behind exploited workers—although, Ms Tucker, I have greater confidence that something will come out of Ms Gallagher's motion earlier today, rather than this one.

It is true that workers in the field of social and community services have been through a long campaign for recognition of the important work they do and the low wages they are paid for doing it.

Workers employed under the New South Wales Social and Community Services Award were victorious recently. They can expect a 3 per cent pay rise from the first pay period after 28 November. The increase flows on from increases gained by Australian Services Union members when the award was handed down last November. Further, I note that the ASU is still pursuing the $18 a week state wage claim adjustment through the courts, with the next hearing scheduled for Friday, 6 December. The union's pursuit of the $18 increase has the support of the Catholic Church in Australia.

The minister discussed the money the government has allocated to community groups to help meet the increases in the SACS awards. I hope they also recognise problems in the sector at the moment with the new award system and its broader band structure, which means that some people are entering this work force at lower levels and becoming stuck in bands, with little hope of advancement.

The government should support organisations to work with the more favourable wages provided under the award system, so that the workers who do so much for our community are remunerated at higher rates. The ALP went to the last election with a policy platform which included to:

- Ensure that the community service providers are fully informed and supported through appropriate education and training and with award conditions to ensure the delivery of quality services.

- Ensure a strong community sector of providers and customers as this will result in an informed and satisfied community.

Prior to the last election, the ACT Council of Social Services issued an election challenge. One year hence, due to inaction by the government, we are having a debate to call on the government to meet its election pledge and the ACTCOSS challenge.

The description of the ACT community sector put forward by ACTCOSS was a realistic description of the working conditions and financial stress currently being faced by the community sector. ACTCOSS lamented that the capacity of the community sector to meet the demands currently placed on it was limited by the rising cost of wages, insurance costs and the costs of compliance with sector reforms, as well as the upkeep of equipment.

The inadequate facilities of the community sector are well documented. Basically, the community sector exists in run-down buildings, offcuts of the government or corporate sector with hand-me-down furniture and computers. The Griffin Centre is one example, but there are many. I wonder what would happen if WorkCover inspectors went around to community sector employees in Canberra to check compliance with OH&S regulations. The report card would not be pretty. There is not a lack of commitment to the principles, there is a lack of resources—structural resources as well as human resources.

It is not enough to talk about the Griffin Centre being replaced. Today the building is unsafe and the working conditions are not up to standard, and it will be some time yet before the tenants move into the new Griffin Centre. Work is urgently needed on the Griffin Centre—we cannot just wait until a magical new building is in place. We need to have the work done urgently and not ignore it in the hope that it will go away.

This motion is clear in its message. We want both the community sector and the community sector workers to be acknowledged for the professional work they do. We also want a strong commitment to improving the community sector infrastructure so they can continue to do professional work. This will include costs, but neglecting the community sector neglects the community with which it is charged to support.

The ACT Democrats will heartily support this motion and will place scrutiny on the next budget, as we did this year, to ensure that the community sector and its workers are neglected no longer.

MS TUCKER (4.25), in reply: I thank members for their contributions. Listening to the government, I was thinking, "I do not know why I moved this motion—everything is so good!" But then I thought, "How come I saw a press release today from ACTCOSS saying things are not so good—and why is it that the community sector, when I consult with them, have been telling me for a long time that things are not so good?" Yes, I do go and consult regularly, and I do visit the places. I wonder if Mr Wood has visited Directions recently. You said that you visit places and just get a sense of the conditions there. They are horrendous, and have been for a long time.

I remember trying to get Mr Moore to get Directions into the new Griffin Centre, but because they were looking only at the functional brief, it was just on who was there at the time—the existing tenants. Directions was not acknowledged, although I remember Mr Moore saying at the time, "We will be able to get Directions in." That did not happen. They are still in the same building and it is still seriously bad accommodation.

As Ms Dundas said, you can pop into the environment centre or the Griffin Centre—and there are others I could list. The sentiments expressed here today do not fit with the reality. For the record, I will read part of the media release ACTCOSS put out on 18 November in support of this motion. Basically, Daniel Stubbs, from ACTCOSS, supported the Greens for the motion, saying that:

> ... The motion calls on the Government to support the sector in the Budget process by improving accommodation for community organisations, ensuring organisations are adequately staffed to undertake the work they do and bring wages and conditions in the sector closer to those in Government service provider agencies.

Mr Stanhope seemed to be making a distinction between your government's role as employer or funder. If my words were not clear, I am sure the intention was. This is obviously about enabling community organisations to pay appropriate wages and, as the funder, the government has a responsibility to do that.

Mr Stubbs also, in the media release, says:

> The increase in funding provided by the Government to cover the Social and Community Services (SACS) Award increase of July 2001 has only just allowed many community service providers to keep their heads above water. A viable and sustainable community sector needs to be funded adequately to allow the development of progressive services, which allow people to thrive and reach their potential rather than just survive.

Ten days ago, ACTCOSS and the Australian Services Union held a forum to discuss the wage crisis facing the sector. Participants stated that, following the recent Australian Industrial Relations Commission's ruling, services are not able to pay appropriate award rates for after hours work or call-outs. Organisations relying on workers on SACS levels 1 to 4 are having to provide pay rises for which they do not have the money. Some organisations may have to pay SACS levels 5 to 8 workers the lowest rates allowable, to help control their budgets. Current SACS rates are less competitive than when they were introduced, making the sector less attractive for employees.

Mr Stubbs explained:

> With the recent Industrial Relations Commission's decision to freeze senior rates of pay, the sector will become even less able to attract high quality workers.

Mr Stubbs also explained:

> Community groups are experiencing other cost pressures, including:
>
> - rising superannuation contributions
> - increasing insurance costs (eg public liability and workers compensation)
> - inadequate and deteriorating accommodation
> - lack of appropriate indexation in the payments they receive from Government for many services
> - increasing data reporting requirements; and
> - increasing costs associated with meeting new requirements for organisations to prove themselves against quality standards.

> ACTCOSS is working to assist in the development of an innovative, sustainable and accountable community sector... However, this can not be achieved if the organisations that deliver community services are not supported by the Government and the ACT Legislative Assembly.

I wanted to read that out to support the sentiment of my motion today—that is, that there is a real fear in the sector that the community organisations are not going to be viable in the not too distant future, because of the pressures they are under. This is really important.

I understand the budget constraints under which the government is working. I heard what Mr Wood said, and I know what Mr Stanhope says, but this is truly a serious situation—that is why I have raised it today. I am hoping it will help the government to give this a very high priority in its budget deliberations.

Question resolved in the affirmative.

Land act review

MRS DUNNE (4.30): Mr Deputy Speaker, I move:

> That this Assembly notes that:
>
> (3) the Land Act has been in operation for more than 10 years;
> (4) there have been ongoing criticisms about the complexity and application of the Act;
> (5) the recommendation of the Estimates Committee of the ACT Legislative Assembly for the 2002/2003 Budget that the Land Act be reviewed;
> Further that this Assembly calls on the Government to:
> (6) immediately commence a review of the Land Act to be carried out by an independent body such as the Law Reform Commission;
> (7) ensure that the independent body has appropriate resources to carry out the review; and
> (8) delay commencement of the Planning and Land Bill and associated legislation (if it succeeds) until the review has been completed and considered by this Assembly.

Before I proceed, Mr Deputy Speaker, I should apologise to members for referring in my motion to the piece of legislation concerned as the land act, rather than by its proper title, the Land (Planning and Environment) Act 1991. So that we are sure what I am talking about, I am talking about the Land (Planning and Environment) Act 1991, which is also known as the land act.

The act was developed over 1990 and 1991, and passed in late 1991. It came into effect on 2 April 1992, making it now more than 10 years old. There were 130 amendments moved on the floor of the Assembly in the course of the debate, of which only 60 succeeded and were adopted. Some of those that succeeded were related to those that did not succeed. As a consequence, there are many flaws. The act was, in many ways, flawed from the very outset.

Since then, more than 40 separate acts have been passed to amend the original legislation. If you look at the current published version of the Land (Planning and Environment) Act, you will see that its amendment history now stretches to 21 pages. In addition, regulations have been amended on at least 30 occasions in the past 10 years. Some of the amendments have been only minor, while others have reflected major policy decisions and have responded to reports or inquiries.

The Stein amendments of 1996 are an example of major policy change, but, with the benefit of hindsight, if more of Stein had been adopted, we would have had a better act than we have now. It is a matter of regret to me that the previous Liberal government did not follow through on some of the Stein initiatives.

We need to remember the circumstances surrounding the genesis of this troublesome but important act. This act, in its early form of 1990, was, in fact, seven different pieces of legislation which were overseen by a large group of people. Towards the end of its genesis, those seven pieces of legislation were cobbled together into one act. It was an act of convenience and, as a result, this act of convenience has been amended ad infinitum on the floor of this Assembly, largely at the insistence of Residents Rally in 1991.

The act was criticised in the Stein report, which quotes a former head of planning, Jeff Townsend, as saying:

> The land act is a disgrace in terms of legislation. It is the worst piece of legislation anyone has ever seen. It is a piece of legislation that was amended 100 times on the floor. It is a mess.

Sadly, little has changed in the seven years since the Stein report quoted those words.

The main argument relates to the fact that the act and its regulations span and directly impact on a number of highly contentious areas of public administration. It has been amended so many times, and by several governments of different persuasions. If the act was flawed or even inadequate at the time of its inception, then surely now is the time to initiate a systematic and thorough review of all its provisions—indeed, of the act itself. We are starting to see a slow dismantling of the concept of bringing the seven acts together, because now we are seeing an exposure draft of heritage legislation that would delete part 3. There is discussion about taking out part 4 in relation to environmental assessments.

Before we take those steps, we need to have a discussion about the form such far-reaching legislation should take. Is it better to go back to six or seven individual pieces of legislation? But, rather than doing it, we should spend some time thinking about the best way to do it. The question we must seriously ask is: is this an appropriate legislative base on which to build a whole new planning and development regime, which is what the current government suggests it should do? I suggest that the answer is emphatically no.

Time and circumstances have passed this act by. Quite apart from the differing social and political dynamics of the time, at a more basic level, words in the original act have been put into use in slightly different senses in later amendments. The change of use

provisions have changed back and forth and determination of which development is to be notified has become a complex and exceedingly opaque process.

There is a whole new lexicon of drafting terminology that now makes it impossible, or so I am told, to draft new measures into the existing act. We had a long discussion with members of the task force that was developing the Planning and Land Bill and the simple answer to questions as to why the changes were not being made as an amendment to the land act rather than a stand-alone bill was that it would be too complex to do that because of the flaws in the land act.

There are also many instances of rules having been made that reflect out-of-date attitudes towards public offices. An example of this is something that has been in public recently: it is not possible for PALM to investigate compliance issues and make an order requiring a person to abide by the terms of a lease or an approval. PALM must either receive acomplaint or request that two ministers sign an order before they can do anything.

In the election campaign last year, Labor announced a comprehensively different approach to planning and land management, that is, essentially a return to the corporate town of the past. While we have many problems with this approach, which will be addressed at some length tomorrow, I would hope, there is a more important and underlying issue that needs to be addressed, and it is a fundamental issue. It is that any legislative change they bring will be superimposed on an entirely deficient and inadequate piece of legislation, that is, the land act of 1991.

It is the view of the Liberal Party that a reference to the Law Reform Commission, suitably funded and resourced, is the most appropriate means of review. While such an approach would review the legislation as it stands, it would also be able to revisit earlier criticisms and suggest amendments or replacements as a more appropriate vehicle on which to base planning and management decisions in 2002. In particular, the entire process of the draft variation to the Territory Plan needs to be reconsidered in the broad context of a clear and unequivocal legislative framework.

I am proposing in this motion a means of achieving a more clearly delineated and transparent process that enunciates and defines the appropriate role of the minister, the Assembly and the standing committee. I am concerned, and many in the planning and building industry are similarly concerned, that Labor's plans for a new complexity will merely exacerbate existing weaknesses. The need is for a totally revised act before major changes occur. This is essential to ensure that the government's proposed Planning and Land Bill will actually work.

A totally revised act would underwrite stability and certainty in a way that Labor's proposals would not in seeking to avoid situations where large amounts of time and money are invested and wasted in needless protracted draft variation processes which, in turn, drive up the cost of housing. Let me stress that this is not just my view, nor simply the view of the Liberal Party. Without exception, every key player in the industry and in the community that I have discussed this matter with is of the opinion that the act is a mess. My office has held wide-ranging discussions with industry groups, builders, lobbyists, members of the legal community, members of the planning community, and community groups. Their opinion has been unanimous.

Let me hark back to the Estimates Committee of this year in which similar concerns were raised. Members of the committee raised, in particular, the relationship between the Planning and Land Bill and the land act. The committee noted that the land act had been from the outset a cumbersome piece of legislation and that the changes proposed because of the new legislation might necessitate a review of the land act. At that time, it will be recalled that the minister and officials advised that a review of the land act was anticipated, but not before the passage of the Planning and Land Bill.

Mr Deputy Speaker, it was a recommendation of that committee that the government review the land act before the passage of the Planning and Land Bill. To avoid this is to court disaster, and I strongly urge the Assembly to give serious thought to what has occurred from 1991 onwards. I ask you: do you want to repeat that? We will have, I am sure, ample time to repeat it if we do not act on a thorough review now before major changes are implemented. I therefore commend the motion to the Assembly.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (4.40): Mr Deputy Speaker, I move the amendment circulated in my name:

> Omit all words after "Further that this Assembly", substitute "notes that the Government proposes to undertake a review of the Land Act in 2003 with an exposure draft of new legislation in mid 2004.".

The motion put forward by Mrs Dunne today calls on the government to immediately commence a review of the land act and to delay the commencement of the planning and land legislative reform package until the review has been completed. Quite frankly, Mr Deputy Speaker, this is another in a series of spoiling tactics that the opposition has embarked on since I first announced the government's planning and land reform package. It is clear to me that the opposition does not accept the electorate's verdict of last October and is seeking to stall the Assembly's consideration of the planning and land legislation at every possible opportunity.

That there has been a series of blocking and delaying tactics is clearly evident in a number of Assembly actions from the opposition. It starts back on 22 February with Mrs Dunne's matter of public importance about the deleterious effect of the moves by the Minister for Planning to resume what she called state control of planning and land development in the territory. On 6 June, we had Mr Smyth's notice of motion that the Standing Committee on Public Accounts and the Standing Committee on Planning and Environment jointly inquire into and report on methodologies and outcomes proposed for resumption by the government of the process of land development and the restructuring of planning arrangements.

In July and August, we had the Estimates Committee recommendation that the Planning and Land Bill not be debated until the associated consequential amendments are completed and made available for scrutiny. Again, in July and August, we had the Estimates Committee recommendation that the government review the land act before the passage of the Planning and Land Bill. On 22 August, there was Mrs Dunne's motion to replace Mr Smyth's motion to refer the Planning and Land Bill for inquiry by the Planning and Environment Committee, with the committee to report by 12 November. On 12 November, the Planning and Environment Committee sought an extension of time

for presentation of the committee's report. On 14 November, the Planning and Environment Committee presented its report which, notably, did not recommend—

Mrs Dunne: I take a point of order, Mr Deputy Speaker. Mr Corbell has a litany of instances which he characterises as the opposition's spoiling tactics. I do not object to that, but he has said that because the Planning and Environment Committee sought an extension to the reporting date—

MR CORBELL: On a point of order, Mr Deputy Speaker: Mrs Dunne is debating the motion. Either she has a point of order under the standing orders or she does not.

MR DEPUTY SPEAKER: One at a time, thank you. What is the point of order?

Mrs Dunne: My point of order is that in his reference to the Planning and Environment Committee there was an implication that it is indulging in spoiling tactics, and that is an inappropriate use of language in relation to a committee of the Assembly.

MR CORBELL: There is no point of order, Mr Deputy Speaker. Mrs Dunne will have an opportunity to respond to these matters when she closes the debate.

MR DEPUTY SPEAKER: Proceed. You will have a chance to respond, Mrs Dunne.

MR CORBELL: Mr Deputy Speaker, the Planning and Environment Committee presented its report on 14 November. Notably, that report does not recommend that the land act be reviewed before the commencement of the new legislation; so the specific inquiry into the Planning and Land Bill did not recommend that the land act be reviewed before the commencement of the new legislation.

Finally, nearly a year later—on 19 November—we have the motion from Mrs Dunne that is now before us. *(Quorum formed.)* If members read the motion carefully, I think that the message to them will be quite clear: the Liberal Party has no intention of allowing this reform to occur, because the existence of a land development agency threatens in their minds to undermine the interests of those who are currently involved in land development in the territory.

Here again, Mrs Dunne devises a way to present old information, which is point 1 of her motion, all information we have had for some time, and use that information to create worry and confusion, point 2. It is the same old story: "Don't do anything until you do something else so that we can also delay that." There is no real confusion; Mrs Dunne knows exactly what is going on. She wants members to be so concerned that something may be wrong that they cannot deny the need to delay and delay.

Perhaps it would be best if I briefly summarised for the benefit of members what is really going on with this legislation. As the government responded to the Estimates Committee recommendations, the Planning and Land Bill 2002 deals with the government structure for the planning and land system within the territory. It sets out clearly the roles and responsibilities of the minister and other elected representatives who will be responsible for setting the policy framework; the Planning and Land Authority, which will administer the planning and leasing systems; the chief planning executive, in whom the powers of the Planning and Land Authority are proposed to be vested; the Planning and

Land Council, which will have an expert advisory role; and the Land Development Agency, which will be charged with undertaking government land development in a vigorous and accountable manner.

The bill does not propose substantial changes to the operations of, or the rights and responsibilities conferred by, the land act. Consequential changes to the land act quite simply ensure that the powers and functions under that act are effectively administered according to the new government's arrangements. The only other substantive changes to the land act are the strengthening of the transparency and accountability mechanisms surrounding the use of the call-in powers by the minister, and ensuring maximum opportunity for mediation in the decision-making process. This includes allowing the authority to reconsider its decisions in a similar manner to the process available in New South Wales. It is quite clear and it is worth adding that there has been no removal or reduction of appeal rights as currently set out in the land act.

As Mrs Dunne points out, the land act has been in effect for over 10 years. As advised in the government's response to the Estimates Committee, it is timely to undertake acomprehensive review of its operation. This will require detailed expert analysis of the effectiveness of all of the act's provisions and the rights and responsibilities that the act bestows upon leaseholders within the territory. This will require considerable analysis and will require some time to complete. Above all, the review should be conducted carefully, consultatively and conclusively.

As Mrs Dunne's motion notes, a major review of the land act will require significant resources and time to ensure that it delivers the right outcome. The current program, which is subject to the government's budget deliberations, provides for the commencement of a review in the second half of 2003. This review would be expected to take at least 12 months to complete. The timetable would envisage an exposure draft of the new legislation being available in mid-2004 for broad community and Assembly committee consideration and input. If we took Mrs Dunne's line of thinking that the planning and land legislation not commence before we finish the review of the land act, we could well be looking at a starting date for the new government's arrangements well into 2004, or even 2005. If that is not a delaying tactic, what is?

It does not follow that all other planning and land proposals should be put on hold pending the review of the land act. On the contrary, as the Planning and Land Bill is about the government structure for management of the planning and land management functions, the review should not be undertaken until the bill has been passed and the new structures are in operation. The Planning and Land Bill would not affect the operation of the planning, leasing and development control functions. It would merely place those functions within a different management framework and, through a few minor consequential amendments, clarify the call-in powers and provide for the authority to reconsider its decisions on development applications.

As to the question of who should conduct the review of the land act, the government's position is that an independent consultant could be contracted to assist the authority, but this will be ultimately a decision by government and the authority. The authority will, after all, be where most of the expertise in the territory is located. The usual practice is that the Department of Justice and Community Safety would be asked to advise on legal

aspects of the review and Parliamentary Counsel, obviously, would be responsible for any drafting.

I see no need to go further than that. I certainly do not see the need to refer the review to the Law Reform Commission, a body with no expertise in the very complex matter of land administration legislation. Finally, the question of the resourcing of the authority will be considered in the budget context to undertake this task. Regardless of who conducts the review or when, it will be necessary to expressly identify the level of resources required to perform the functions of the organisation.

Mrs Dunne appears most eager to commit the matter to review, but very reluctant to take the issues on. I find that ironic, because the same Mrs Dunne criticises this government for investigating matters and considering them fully. I believe that the time has come to debate this issue. Yes, let's review the land act, but we will not put our policy agenda on hold while Mrs Dunne gets comfortable with the notion that there will be change.

Mr Deputy Speaker, my amendment, as I have circulated it, outlines a change to Mrs Dunne's motion, noting that the government proposes to undertake a review of the land act in 2003, with an exposure draft of the new legislation in mid-2004.

I commend my amendment to members.

MS TUCKER (4.53): The Greens will not be supporting this motion, but will be supporting Mr Corbell's amendment. This motion is just another attempt by the Liberals to stop the introduction of the government's initiative to set up a planning and land authority and a government land development agency.

Whilst it is true that the land act has been in operation for more than 10 years, it is not the case that the act has not been reviewed during this time. In fact, it was the Liberals who established a major inquiry by Justice Stein in 1995 into the administration of the leasehold system. This inquiry, by its nature, also involved reviewing the operations of the land act, which led to the extensive set of amendments to the act that the Liberals introduced into the Assembly in 1996. There was also a review of the land act in 1999, again under the Liberals, as part of the ACT's commitment under the national competition policy to review the competition implications of all legislation. However, this review did not come up with any major proposals for change.

The land act combines a number of different and somewhat independent aspects of land management and development. Recently, there was a review of the heritage parts of the land act and a proposal has been put forward by the government to put them into a separate act. There have also been moves over the last few years to review the part of the act that covers environmental impact assessment, but that has not yet resulted in specific proposals for change.

I agree that the act is complex, but then again the administration of land and how it is developed are bound to be complicated as there are so many factors and stakeholders involved and many legal considerations involved in property ownership. I agree that the act is not perfect. However, I do not support the Liberals' proposal to just stop all change to the act while we do another review.

I accept that the Labor government went to the last election with a clear policy to set up an independent planning authority and to take over the development of raw land. The Greens generally support this policy approach. Considerable work has already been done, including the introduction of legislation, to make this happen. Any further changes to the land act should only occur in the context of these proposals. I therefore think the first priority should be to sort out the bills already before the Assembly and get them implemented.

In fact, it will be through their implementation that the need for further changes to the land act will start to become evident. In general, I believe that all legislation should be subject to a continuous process of review to make sure that it is working effectively. I would be willing to consider the need for a further review of the land act next year after the current legislative changes have been put in place, but not now.

MS DUNDAS (4.55): I will be speaking to both the motion and the amendment. I commend Mrs Dunne for bringing this issue to the floor of the Assembly. I agree in general with what Mrs Dunne is trying to do; the land act does need to be reviewed. The land act is probably our most complicated piece of legislation, and I agree that there are likely to be means of simplifying this act to make it easier to follow and more understandable by the general public. I am aware that the government has already indicated in briefings to my office that the land act is due to reviewed next year, but I agree that this process could be more inclusive and independent.

There is scope for our planning legislation to be streamlined. Improved access to legislation is a central issue here, as this law directly affects what people can do with their own backyards. Currently, the legislation is difficult to read and is hard for residents to understand without specialist legal advice. Our land act needs to be clear and accessible. Canberrans need to know their rights and responsibilities under this legislation, but the current framework does not facilitate this process.

Planning issues have the ability to ignite the passions of residents and cause a great deal of political, social and economic controversy. All these aspects need to be addressed and considered in planning decisions and stakeholders need to be able to have their concerns heard and taken into account—the true meaning of consultation. The planning process needs to have both community participation and ownership. Canberra residents need to understand the provisions of development control and feel the planning system is creating a better environment for our future.

There is a case for removing unnecessary delays and doing our best to get development proposals right the first time round. The responsibility for this lies not only with the government and our planning staff, but also with private developers. Development companies need to realise that they are not only in a profit-making industry, but also impacting on the social and natural environment of Canberra.

Planning and development are not simply another business opportunity; they are about shaping our homes and our lives. The urban form of our city influences its cultural and social life and it helps create a sense of belonging. The future shape of our city will impact on how we live our lives, including our employment, transport and recreation choices, and these decisions should not be left just to profit-driven development, whether

public or private, so having strong planning legislation is a key factor in ensuring that our future development is in keeping with our social and environmental aims.

I would guess that some of the specific changes to the land act that Mrs Dunne would be considering would not be entirely agreed with by all of us in this chamber. However, I think that every member of this Assembly would agree that the land act is unwieldy, and the changes proposed in the consequential amendments to the Planning and Land Bill will not necessarily help.

The question is whether we should delay the commencement of the Planning and Land Bill until the review has been completed. A thorough review of the land act will take many months. In fact, it looks like the government is expecting it to take a year. Whilst I have agreed previously that spending a few more weeks looking in detail at the Planning and Land Bill would assist in producing a better act, I do not think that we can put off the actual implementation indefinitely.

Equally, whilst I agree that there is a place for an independent body to review the act, I have no particular preference for that organisation to be the Law Reform Commission, as there are neither good arguments nor bad arguments as to why it should be, but it is important that we watch what the government is doing to progress this issue and the review of the land act.

I will be supporting the minister's amendment. I will be happy to see a review of the land act go forward. I hope that the minister has taken into account the comments that have been made today about the problems with not only the land act but also the planning process. Hopefully, through the debates that have been held in this chamber and by the public about planning processes in the ACT, the government will consider carefully what it is doing with planning and what it is doing with the land act as it moves forward with its review.

At 5.00 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

MS DUNDAS: In conclusion, I hope that the government will facilitate a process which has full participation from the community and stakeholders and reach the goal of providing Canberra with a planning framework that is accessible, informative and streamlined.

MRS DUNNE (5.01): Speaking to the amendment, Mr Deputy Speaker: I can do numbers and I can see that Mr Corbell's amendment will succeed, but I would commend to the house the reasons why it should not succeed, in the first instance. Merely by replacing my paragraphs 4, 5 and 6, he does not address the question that has been raised by Ms Dundas and me that this review should be conducted by an independent body. Mr Corbell has made it perfectly clear that he thinks that it is appropriate that the review should be done within the authority.

This authority is the son of the existing organisation that has in various forms been overseeing the land act since its inception in 1991. The concern, without being critical of the people involved, is that they may be too close to it. Yes, they should make

a submission and have an input to how the legislation should be reviewed, but it is not really appropriate for an organisation that has been so closely enmeshed with this legislation to be independent enough to undertake an effective review.

I would suggest to members—I am not quite sure how the standing orders would apply in this regard, so bear with me, Mr Deputy Speaker; I am sure you will advise me how to do it—that we should insert the words "by an independent body" in Mr Corbell's amendment after the word "review". I would be happy to do that, because it seems quite obvious that paragraphs 4, 5 and 6 of my original motion will fail. If members take the time to read paragraph 4, they will see that I have not suggested that the Law Reform Commission is the definitive body to do this review, but rather it is a suggestion of the sort of body that might do so. It is perhaps unfair for the minister to say that the Law Reform Commission has no expertise in planning law. I think he should look at the composition of the Law Reform Commission before he says that. The important aspect about having an organisation such as the Law Reform Commission is that they are concerned with the effective drafting of law and how it should be reformed in the ACT, rather than being necessarily subject matter experts. I would suggest that this would be a better way forward.

MR DEPUTY SPEAKER: I need it in writing, Mrs Dunne, and it should be prepared right now.

MRS DUNNE: I move the following amendment to Mr Corbell's proposed amendment:

> Insert the words "by an independent body" after "review".

I think that it is quite obvious that for whatever reasons, some of which are understandable and some of which are not from my point of view, paragraphs 4, 5 and 6 of my motion will fail.

I commend to the Assembly my amendment to Mr Corbell's amendment.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (5.05): Mr Deputy Speaker, the government will not be supporting Mrs Dunne's amendment. As I have already pointed out, the question of who should conduct the review of the land act is an interesting one, but the government's position is that it is possible for the authority itself to determine the use of an independent contractor to assist it in conducting the review.

I am somewhat perplexed, because the whole point of the Planning and Land Bill is to establish a statutory independent authority. I would challenge members to mount the argument as to why there needs to be an independent review. There are mechanisms built in to many pieces of legislation for statutory review after a particular period. For example, the Environment Protection Act has such a function and it is proposed that the Planning and Land Bill itself will have a statutory requirement for review after a fixed period. I can think of no other piece of legislation which has a formal statutory review mechanism where it is proposed that there be a requirement that that review be undertaken by an independent body.

The fact is that review of legislation is entirely a policy issue. It is not some arbitrary, dispassionate assessment. It is driven by policy needs and requirements. Who conducts the review is irrelevant, because review of the legislation means nothing unless it is accepted by members on the floor of this place as to whether amendments arising out of a review are implemented. First of all, I see no reason to argue this course of action. It makes no difference, because the only way that any change to an act such as the land act can occur is if a majority of the members of this place support such change. Secondly, the Planning and Land Authority will be itself a statutory authority which will have responsibility in terms of the expertise it has to assist with the review of legislation.

I do not think it is appropriate to put into this motion a requirement that there be an independent review. There will be a review. The government will conduct that review with the assistance of experts in the new authority, in Justice and Community Safety and in the Parliamentary Counsel's Office, but the outcomes of that review would be a matter for policy debate in this place. Members should not be concerned that there will be some agenda, because it will be the members of this place who will determine whether any of the outcomes of the review are accepted.

Furthermore, as I indicated in my initial speech, the government is proposing that there be an exposure draft as a result of the review of the land act, and that would be made available for public comment as well as for comment by the relevant standing committee of the Assembly. There will be a very public and transparent process. I just do not believe that the argument has been made as to why this review, compared with reviews of all other pieces of legislation, must be undertaken by an independent agency. The argument simply has not been made.

MS TUCKER (5.09): The Greens will not be supporting Mrs Dunne's amendment. I think that it is really thinking far too far ahead at this point in time and the process is not one that we have seen in any other area. At the time we get to the point that we have this review, whenever that will be, there will be concerns to do with the transparency of the process, the consultation that occurs and so on, which I will certainly be taking an interest in.

For example, if you look at the reviews that have occurred through the competition policy, you will see that we have had to consult sometimes and we have had departmental reviews at other times. Basically, those reviews belong to the government. Ithink that that is right and the Liberals thought that it was right when they were in government. I think that this amendment is not a reasonable amendment, but I do support the notion that we would want the review to be transparent and that there be consultation occurring as well at the time.

Mrs Dunne's amendment to **Mr Corbell's** proposed amendment negatived.

Question put:

> That **Mr Corbell's** amendment be agreed to.

The Assembly voted—

Ayes, 11		Noes, 6
Mr Berry	Ms MacDonald	Mr Cornwell
Mr Corbell	Mr Quinlan	Mrs Dunne
Mrs Cross	Mr Stanhope	Mr Humphries
Ms Dundas	Ms Tucker	Mr Pratt
Ms Gallagher	Mr Wood	Mr Smyth
Mr Hargreaves		Mr Stefaniak

Question so resolved in the affirmative.

Amendment agreed to.

Motion, as amended, agreed to.

Transport education policy

MS DUNDAS (5.16): I move:

> That following the encouraging results from the "Way to Go" trial in Woden, this Assembly calls on the ACT Government to extend the "Way to Go" transport education program across the ACT, to both households and workplaces, to encourage:
>
> (1) reduced traffic volumes and reduced greenhouse gas emissions; and
>
> (2) higher levels of physical activity and better health among Canberrans.

This motion calls on the government to extend the Way to Go program across the ACT because this program provides a range of benefits. It also calls on the ACT government to commit territory funds if federal funding is not available.

Transport has been in the news over the past couple of days because of the release of the 2001 census figures on travel to work on census day. The results were not strongly positive, as the ACT was the jurisdiction with the highest rate of car commuting, at 69.9 per cent, and the lowest rate of public transport use, at only 4.6 per cent. Our rate of cycling and walking to work at, 5.5 per cent, is around the national average, but this is a low figure.

The ACT government has committed to creating a sustainable territory. Tackling greenhouse gas emissions is one of the identified goals in the discussion paper titled "Towards a sustainable ACT".

Encouraging results from the Way to Go transport marketing pilot program in Woden have shown that there is a simple way of changing transport behaviour and reducing greenhouse gas emissions. Many Canberrans are willing to get out of their cars and start cycling, walking or bussing if we provide them with the information to make it simple to do.

The Way to Go program involved a household visit by a program officer who provided information on transport options, other than driving, tailored to the transport needs of each household. Travel behaviour of the households that received a visit was compared with the behaviour of households that received no information on transport options.

The study found that households provided with information on alternative travel drove 7 per cent fewer kilometres in their cars and travelled 3 per cent further on foot, bus or bike. This compares with an increase of 2 per cent in car kilometres travelled and a 1 per cent decrease in alternative transport in the group that received no information. Encouragingly, the change in travel behaviour was not short-lived. The decrease in car use had become more obvious six months after the initial information visit. These results show that there is a simple and effective way for us to reduce our greenhouse gas emissions and reduce the impact of cars on residential amenity.

I am concerned that the government indicated during estimates that the continuation of this program is dependent on the ACT government securing funding from the Commonwealth government or on cutbacks to existing ACT greenhouse initiatives. Government officers indicated at the Way to Go community briefing held a few months ago that the program would cost only $507,000 to roll out across Canberra, yet we are planning to spend in excess of $155 million on road building. I think it is time we started putting our money where our mouths are and getting behind alternative transport. During question time the minister spoke about his commitment to get more people on buses. The Way to Go program would be a great step in that direction.

Although the rate of obesity in the ACT is slightly lower than the national average, any measure that gets people more active will improve community health and quality of life, an issue I know this Assembly is interested in. We know that Canberrans, like all Australians, are on average getting heavier and becoming more unfit, and we are already paying the price in escalated health care costs—another issue this Assembly has debated on many occasions.

In short, this program is worth investing in. It will help not only transport but also health and the environment. The community will benefit through the amenity from reduced traffic flow, safer roads and cleaner air, and through savings on health care, improved quality of life, road building and greenhouse gas abatement measures.

This is a simple motion based on results we have already seen from how Way to Go worked in Woden. I encourage the Assembly to support this motion so that we can extend the Way to Go trial across the ACT and encourage Canberrans to think about their transport programs and our long-term environment and health concerns.

MRS DUNNE (5.21): I rise to support Ms Dundas' motion. The Way to Go program is a worthwhile initiative and needs to be seen within the broader parameters of building sustainability. Way to Go is about people making smarter transportation choices so they can save money and make their communities more livable, just as they do now by recycling and water conservation. Legislation and capital spending can help, but until we learn to make smarter choices about how we travel the problem will not be solved.

One city that has given the program a thoroughgoing trial is Seattle in the United States. The City of Seattle has gathered a number of initiatives under the Way to Go umbrella, each of them intended to improve livability by reducing automobile usage for non-work trips and increasing the use of bussing, biking, walking, trip consolidation and car pooling. Seattle research, which would mirror that of Canberra, has shown that 75 per cent or more of all car trips, including 50 per cent during peak hours, are for personal and family purposes rather than travelling to or from work.

One pilot program conducted in Seattle saw 23 Seattle families exploring the possibilities of getting along without their extra car for six weeks. The results were very impressive indeed. At least four of the families liked it so much that they are selling their second car. Some families who did not even participate in the program have also been convinced. After using the city's website to determine the cost of owning their car, they sold their extra car without even participating in the program. The Mayor of Seattle, Paul Schell, was delighted and he said in a media statement:

> We can all take small steps to improve our transportation systems … These families have proven that they can make choices about how to get around and enjoy spending less time in our cars.

All the families in the study saved money, and most saved about $US64 a week, which is an impressive amount. They all found that they could get around on transit, walking, bicycling and using taxis when needed, for about $US21 a week, far less than the $US85 cost on average for a second car.

According to Seattle city authorities, most families indicated that they would continue to take the bus or ride or take their bike and think about whether they would drive to where they wanted to go. Trying different ways of getting around and more carefully planning, the 23 families made nearly 200 fewer car trips per week during the study. The 200 fewer car trips per week equalled about 2,050 kilometres and a significant cut in air-polluting emissions.

Driving less by just these 23 families meant that 2,800 kilograms less carbon dioxide was pumped into the atmosphere. If that carbon dioxide were compressed into elemental carbon such as charcoal, it would fill more than 80 ten-kilogram bags. If it was kept in the air, that would be roughly equal to three 6-lane swimming pools in volume.

Other pollutants that did not end up in the atmosphere as a result of this brief experiment included 90 kilos of carbon monoxide, 18 kilos of nitrogen oxide and more than six kilos of unburnt hydrocarbons. Oxides of nitrogen and unburnt hydrocarbons are the two major components of smog, which for Seattle, if not always for Canberra, is a serious problem.

I would hope not only that the trial of Way to Go is extended but that the government will be encouraged to look at the Seattle trial with a view to doing the same thing here. What we need above all is to change the mindset. Encouraging people to drive less can improve neighbourhood traffic and reduce greenhouse gas emissions.

I know that this is not always easy. For a family as large and as diverse as ours, it would be sometimes exceedingly difficult to make the family function without access to the car. Even though we drive our children to places all the time, because we want them to participate in sport and other social activities they like, we encourage them to take a bus wherever possible. We encourage them to walk rather than say, "Mum, can you give me a lift to … ?" We encourage them to make sure their bikes work and that they can use their bikes to get around.

Of course, this is all part of a larger picture. Way to Go is just a component. Way to Go needs to be part of a broader strategic approach to transport. This is what we do not have at the moment. The Liberal Party is already on record as supporting an active examination of the Civis bus/tram technology as an environmentally friendly and attractive public transport option. That, along with initiatives like this, better planning and more frequent services, will help to alleviate the requirements of people in Canberra to take their car wherever they go.

I support the motion, but I would like to see Way to Go as part of an integrated strategic approach to the territory's transport needs.

MR WOOD (Minister for Urban Services, Minister for the Arts and Minister for Disability, Housing and Community Services) (5.26): I commend Ms Dundas for her interest in this project and for recognising the importance travel change initiatives have on the health and environment of the ACT. The Way to Go voluntary travel behaviour change projects is a pilot travel demand management measure managed by Planning and Land Management and co-funded by Environment ACT.

The aim of the Way to Go pilot is to encourage the use of public transport, car sharing, cycling and walking, and to reduce single-occupant car travel. There are a number of Way to Go projects operating across Australia which are showing positive results in changing people's travel behaviour. A number of these projects have been conducted in schools and universities and around major employment locations.

The results of the Woden project are very encouraging and demonstrate that a proportion of the population will make greater use of public transport, car pooling, and walking and cycling if they are given appropriate information and encouragement. The Woden pilot focused on workplaces in residential areas. For the residential areas, it gave positive results, with a 9 per cent decrease in vehicle kilometres travelled and a 17½ per cent decrease in the number of single-occupant vehicle trips. The workplace component of the pilot also gave positive results, but the number of participants was lower than expected.

A travel demand management pilot project directed at workplaces in Barton, Parkes and Belconnen is being planned. This work will give a more reliable indication of the potential for behaviour change in the workplace. Furthermore, it will allow the trial of additional strategies which actively involve the employer and ensure that change is sustained. These projects will complement the parking management strategies being implemented in those places.

The Way to Go trial encouraged not only the use of public transport but also other environmentally friendly initiatives like car sharing, cycling and walking. Travel behaviour change projects like Way to Go seek to decrease dependence on private motor

vehicles and support increased opportunities for physical activity through walking or cycling all or part of the way to one's destination. Increasing the level of physical activity is in line with a whole series of very important health measures. The pilot program used a personalised marketing approach relatively intensively, involving questionnaires, travel diaries, personalised travel information and a range of complimentary products designed to encourage alternative transport choices.

Initial estimates show that applying this study to the whole of the ACT would reduce vehicle kilometre travel for passenger vehicles by approximately 2.5 per cent, with acorresponding equivalent reduction in vehicle emissions. Preliminary calculations indicate that a reduction of around 20,000 tonnes per annum may be achievable by the implementation of this study across the entire ACT.

This program is particularly relevant to my recent trip to the world summit in Johannesburg. My presentation there focused very much on vehicles and the significant volume they contribute to emissions in the atmosphere here.

In recent years voluntary travel behaviour change programs have been successfully implemented in Australia and are now recognised as one of the most cost-effective greenhouse gas abatement and alternative transport methods in the transport sector. One of the key benefits of projects like this is that they encourage the use of bicycles and walking. Members would be aware that in recent years there has been more impetus for such strategies. I think Mr Corbell is working on that area extensively, and he might even say something more about it.

MS TUCKER (5.32): Way to Go and similar travel demand management programs around the world are aimed at informing people about, and motivating them to use, alternative transport modes to the motor car. The most significant program in Australia is the Western Australian program called TravelSmart. I would like to provide some details of this program, as it provides a good model for what we could do in the ACT with the Way To Go program.

As part of the TravelSmart program, households are contacted and asked whether they are interested in using alternative transport to the car. If the household is interested, adiscussion takes place about their current transport arrangements and what specific buses they could catch or cycle routes they could use instead of taking their car. The focus is to see how alternative transport options can fit with individual needs rather than trying to force people to use these options when they might not be suitable. The advantage of this approach is that it allows a dialogue with participants and does not rely on their knowledge of alternative modes, especially public transport routes and timetables. This process also provides feedback to authorities on how alternative transport options could be structured to better suit individual needs.

The TravelSmart program also works with businesses, schools and institutions to encourage them to accept responsibility for how their staff, students or customers travel and to empower them through training and funding to implement their own TravelSmart programs. The aim is to get people to make even a small change to their transport behaviour rather than expect major changes that may not be feasible, given the level of public transport currently available. However, once people start using alternative

transport options, they will hopefully feel more comfortable about making further changes over time.

The TravelSmart program in Perth found that people have no option but to use a car for 40 per cent of trips—for example, to travel long distances or to carry goods—and that 15 per cent of trips are already done without a car. This leaves 45 per cent of trips for which people could exercise some discretion about their mode of travel. In Perth some 80 per cent of these trips are currently undertaken by car, and it is believed possible to reduce this figure to 50 per cent using the TravelSmart approach.

The TravelSmart program initially covered 15,300 households, reduced car kilometres travelled by 14 per cent, increased public transport trips by 21 per cent, increased cycling trips by 91 per cent and increased walking trips by 16 per cent. These changes were still in place after a two-year period. The program has been judged to be very cost effective, and plans are under way to extend the program.

The Way To Go program covered only a small number of households in Woden but resulted in people driving 7 per cent fewer kilometres by car and using more alternative transport modes. The potential for further increases if the program is extended across Canberra is significant. This approach is quite exciting and should be regarded as complementary to other initiatives to increase the use of bicycles and buses. I am therefore happy to support this motion.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (5.35): I would also like to thank Ms Dundas for her interest in this very important project. The Assembly should be aware that the Way to Go project is just one part of the government's sustainable transport plan agenda. The plan will provide a comprehensive and holistic assessment of transport issues in the ACT and will develop strategies and programs to address these issues and to meet the government's economic, social and sustainability goals over the next 30 to 40 years.

A key goal of the transport plan is to encourage the development and use of public transport and other transport modes such as cycling and walking which my colleague Mr Wood has spoken a little about. The consultation process for the public transport study is being managed by Professor John Black, who has 30 years experience in land use, transport and environmental planning and has been at the forefront of sustainable transport in Australia and internationally over the last 10 years. Professor Black was in Canberra in mid-October to begin consultation for the study.

The Department of Urban Services is also preparing a specific investigation of the relative social and economic costs of public and private transport as an input to the sustainable transport plan. This analysis will examine overall transport costs and revenues and the relative contributions to these costs and revenues from private and public transport users. This study will assist the government to achieve an appropriate balance in investment in the transport sector and in particular to achieve an appropriate balance between investment in public and private transport systems. This is work the territory badly needs.

The government has also initiated a study to estimate the effect of changes in public transport fares and other costs of transport, such as parking costs, on the demand for public transport. This study of transport elasticities will assist government to set appropriate pricing strategies to achieve an optimum balance between private and public transport and to encourage environmentally friendly modes of travel. Again, this is important policy work which is long overdue.

A related initiative is the implementation of parking management strategies in Belconnen and Tuggeranong. Urban Services is also preparing a plan for parking in the Barton-Parkes area, in conjunction with the National Capital Authority. Whilst politically difficult, the government believes that the introduction of paid parking measures in Belconnen, Tuggeranong and Barton are an important element in the pricing signals they send about the costs of using your motor vehicle, and hopefully they will encourage the use of public transport. They will also assist the government to manage the demand for parking from commuters, shoppers, visitors and other users.

Another key initiative in the government's transport policy agenda is the public transport futures feasibility study. This study addresses the issues and opportunities around public transport for input into the sustainable transport plan. I recently announced that consultants Halliburton KBR have been appointed, and their consultation with key stakeholders is under way.

Transport planning must be considered in a strategic and ACT-wide context. For these reasons the sustainable transport plan is closely linked with the spatial plan being prepared by PALM. The consultation processes of the spatial plan have highlighted the importance of transport to the people of Canberra and illustrate the importance of transport in planning for Canberra's future. Without a doubt, the issues around transport consistently rate high as issues of concern in the government's consultations over strategic planning for our future.

As the sustainable transport plan proposes an integrated approach to travel demand management covering households, workplaces, visitor destinations, universities and schools, it will be effective when we are in a position to extend this approach across the ACT.

The government is supportive of the principle behind this motion, but we must first assess the potential for behaviour change in all these key areas before we can consider full-scale implementation. This work will be incorporated into the sustainable transport plan.

Question resolved in the affirmative.

Symonston—temporary remand centre

MR SMYTH (5.40): Mr Speaker, I move:

> That the Assembly notes:
>
> (1) that all remandees of ACT Corrections are classified as 'maximum security'
> (2) that the Minister for Corrections undertook, during Estimates Committee hearings on 26 July 2002, to issue a protocol as to which remandees would be housed at the Temporary Remand Centre at Symonston;
> (3) that the temporary Remand Centre is now open; and
> (4) no protocol has, at this time, been issued;
>
> and calls on the Minister to table the protocol by close of business Wednesday 20 November 2002.

This is a very simple motion. It simply notes that all remandees under the care of ACT Corrective Services are classified as "maximum security". We asked the minister some questions at an Estimates Committee hearing and he said that a protocol would be made to govern which remandees would be moved from BRC to the facility at Symonston. That facility is now open.

Recommendation 41 of the Estimates Committee notes:

> The Committee recommends that the Government table in the ACT Legislative Assembly, as soon as possible, the guidelines for determining which remandees will be housed in the temporary Symonston facility.

I am simply noting that no protocol has at this time been tabled here in the Assembly and I call on the minister to do so.

There is some discussion about who will go to Symonston. We have maintained consistently in the discussions that have ensued since the Estimates Committee meeting that all remandees are "maximum security", and I think everybody acknowledges that. The minister says that only low-risk people will be going there. I simply want to see the protocol that he has now made so that we can all be assured that it is appropriate.

MS DUNDAS (5.42): Mr Speaker, I would like to add to the debate. I am glad that a new remand centre has finally opened because, as became clear during estimates, we did not previously have sufficient accommodation for all of our periodic detainees. This made a mockery of sentencing. However, it appears—and I say "appears"—that the government has failed to properly plan for the opening of the centre, as the necessary support systems and policies do not appear to be in place.

I think we already have a reasonable idea of how the allocation of remandees between the Belconnen and Symonston remand centres is to be determined. Mr Ryan, the Director of ACT Corrective Services, indicated during estimates that when the Belconnen Remand Centre reached its limit of 55, the lowest risk prisoners would be transferred to the Symonston facility; and risk would be assessed according to the type of offence—principally classification into traffic and non-traffic offences, and whether there was any history of an attempt to escape.

Like other members in this Assembly, I believe that ministers should honour their undertakings. It is a little ambiguous whether the minister for corrections was referring to a future written document when he spoke during estimates of a protocol to govern the allocation of prisoners between the Belconnen and Symonston remand centres. Therefore, it is not entirely clear whether the government had a promise to keep. But regardless of whether the comments made in estimates indicated that the minister was preparing to write a document, I think it would be desirable to have such a document, and I hope that the government is indeed working with such a document and that it is ready to be tabled.

I support the motion moved by Mr Smyth because there clearly is community concern about the potential for escapes from a low security temporary facility.

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (5.44): Mr Speaker, I herewith table draft protocol arrangements between ACT Community Care and ACT Corrective Services, provision of health service, Symonston Temporary Remand Centre. I think it covers, in the main, the areas that people will be concerned about. It remains a draft because we are going through the early stages of the use of the Symonston temporary remand centre. I present the following paper:

> Symonston Temporary Remand Centre—Information and protocols covering the transfer of detainees for placement at Symonston Temporary Remand Centre and their transfer back to the Belconnen Remand Centre—Copy of draft agreement between ACT Community Care and ACT Corrective Services, dated 13 November 2002.

Mr Ryan, the Director of ACT Corrective Services, has indicated that in a larger facility it could take anything up to six months to get to the point where you shake out all of the problems and then put your protocol in place. So I trust that this document covers the requirements and satisfies members that there is a protocol in place.

I want to refer to a couple of things. Part (2) of the motion that is before the Assembly states:

> that the Minister for Corrections undertook, during Estimates Committee hearings on 26 July 2002, to issue a protocol ...

Not correct. I notice that Mr Smyth chose his words carefully in his speech but I seek your guidance, Mr Speaker, as to whether the moving of a motion that contains words that are not correct would be a misleading of the Assembly.

MR SPEAKER: It is a motion that is before the Assembly, Mr Quinlan, and it is open to you to discredit the words, if that is your wish.

MR QUINLAN: I have been back through the *Hansard* of that day. At no point did I undertake—I think Ms Dundas pointed this out—to issue that. But I am happy to do so.

I just think these particular little twists that we get from time to time, particularly from a couple of members of the opposition, bring discredit to the process. They cause me grave concern for the future should there be rearrangements within the opposition—not that the change of horses from Humphries to Smyth would do much to alter this tendency to verbal people and then make an argument based on that verballing process. It is about time that all members looked at the standards of this place in that regard.

To further compound matters, Mr Smyth, in his short speech, said that I committed to low-risk prisoners. I have not, and never have, committed to send only low-risk prisoners to Symonston. To say so, and for Mr Humphries to say so persistently, is misleading; it is a deliberate attempt to mislead the public and make some raw politics out of this process.

We have always said "lower risk"—not much difference, but a world of difference when it comes to the opening of this facility and how it will operate. I want to point those two issues out because they are not inconsistent with a practice that seems to be developing and growing in and around this place and in and around this issue.

The government will not be supporting this motion simply because it is incorrect, and to support it would be to support a falsehood. Therefore, we cannot support the motion. I would expect that virtually all members would find themselves in the position where they cannot support this motion either, because it contains a claim that is incorrect.

I would like to comment on the grave concern that the opposition seems to have found regarding the Symonston facility. In the estimates hearings of 26 July there was a discussion—a very brief discussion, I have to say, but a discussion, an exchange—between the committee and Mr James Ryan in relation to the relative security of Symonston and Belconnen. I think Mr Ryan said that Belconnen would be securer, but only because it was closer to a police station. He went on to say that there would be very little in it—I think they are the words, but don't hold me to them; I don't want to also join in misleading this place. But that is what he said in the sense of there being very little difference in the security of the two places.

Today's opposition has no apparent concern that the Belconnen Remand Centre is situated adjacent to a town centre, opposite a car park and near businesses with ready cash that an escaper might feel he or she needs. There has been, in fact, no concern over a period of seven years as the Belconnen Remand Centre has fallen into decline.

So I find this interest in the security of the Symonston centre, garnished with the misrepresentation of what I have said, to be quite amazing and ironic in that the previous government did nothing about the Belconnen Remand Centre. This government has now done something about the problem. This government has set up a facility which, in the words of the Director, is virtually as secure as the Belconnen one. But there is grave concern about the security at Symonston, and none at Belconnen. So are we playing politics?

I will repeat what I said earlier today: I think we are heading for an era of even greater negativity from the opposition; an era of distortion, hereby exemplified, exaggeration and repetition and not much policy contribution.

MR HUMPHRIES (Leader of the Opposition) (5.52): Mr Speaker, one gets the impression listening to the corrections minister that there are parts of his portfolio that he quite enjoys and feels quite comfortable with; parts that he quite likes to get into once he arrives in the morning, gets all the papers sorted out on the desk and plunges in here.

Mr Wood: You're going to be Gary-ed again here, Ted; I can feel it coming.

MR HUMPHRIES: Mr Wood, this is the feeling I have. There are other things about his portfolio that he doesn't really quite so much enjoy. My impression, Mr Speaker, is that the Deputy Chief Minister probably doesn't get a great deal of satisfaction out of corrections part of his portfolio, that he would prefer there wasn't a proposal for a prison that he inherited from the former government, that there wasn't this—

Mr Quinlan: An unfunded proposal, might I add.

MR HUMPHRIES: Unfunded?

Mr Quinlan: And funded.

MR HUMPHRIES: Mr Speaker, we have heard Mr Quinlan talk in the Assembly about the need to have private sector funding of a new convention centre. Let me say, from our point of view, "Hear, hear; great idea." I think it is silly to expect the public purse to meet all the cost of a new convention centre. In fact, I would like to see it all met from the private sector.

But I would say to you that just as a new convention centre is a very important facility from the point of view of the ACT community and the infrastructure that we need, so also a new prison is an important piece of infrastructure. I have argued, my side of politics has argued, for a long time that we do need to think about a prison, and the only way we can reasonably afford such a facility is to invite private sector investment in building and creating the facility—not necessarily operating it but certainly building it. Of course, that is not a new idea. Lots of states have done that and have maintained prisons on that basis.

Mr Speaker, the fact is that despite the claim from the minister that he inherited a remand centre that was in bad shape, a longer term view about the history of this matter reveals a rather different story to what has happened with corrections in this territory over the last eight or nine years.

It is perfectly true that the Belconnen Remand Centre is a facility which is clapped out, which is well past its use-by date, which is functionally incapable of delivering good-quality service, which is extremely expensive per head of remandee and which we shouldn't be using. That was the point that the Liberal opposition was making eight years ago when we were moving into the 1995 election. That was the case we were arguing then, to the resistance of the then Labor government.

Mr Wood: Not so.

MR HUMPHRIES: No, it is true. We argued that case and you said there were a lot of priorities—you go back and check, Mr Wood—on the Labor Party's agenda apart from the replacement of the remand centre. We also said that not only was the remand centre out of date but also we needed to think about an ACT prison. Mr Wood, check the record. People like Mr Connolly, who was the corrections minister at the time, said that the ACT doesn't need a prison, that it is not an issue and that it is perfectly okay to send prisoners off to New South Wales.

Mr Wood: I think you might have said that, too, at some early stage.

MR HUMPHRIES: Not since I became the corrections spokesman for the Liberal Party.

Mr Wood: That may be.

MR HUMPHRIES: Our position has been like that for well over a decade now. We have been arguing the case publicly for the ACT to take responsibility for its own sentenced prisoners and we link that debate with the need to have a new remand centre. There was never going to be a new remand centre in this territory unless we also looked at and thought about the conjunction between that and a prison. Indeed, Mr Speaker, building a case for that was the task of the former Liberal government.

MR SPEAKER: Relevance, Mr Humphries.

MR HUMPHRIES: We are talking about the remand centre, Mr Speaker.

MR SPEAKER: It seems to me you are talking more about—

MR HUMPHRIES: At that time we had a case being made for a new remand centre with a prison, and that case continues today.

Mr Speaker, no one could argue, looking objectively at the evidence, that over the last six or seven years the Liberal government was idle on the question of corrections. Arguably, we elevated the question of correctional policy in this territory to a level higher than it had ever been. Whereas before there was a smug complacency about the capacity to make do with the remand centre and to keep sending our sentenced prisoners to New South Wales—

MR SPEAKER: Mr Humphries, I have to press the issue of relevance. You have given us a potted history of the various policies on the issue, but I am yet to hear you touch on any of the aspects of the motion which is before the house.

MR HUMPHRIES: Can I put to you, Mr Speaker, that in a number of questions in the course of the last few days, members have meandered over history. This happened again this afternoon when the Chief Minister spoke about what had happened under the former Liberal government, and this had nothing to do with the question which he had been asked. In spite of points of order, you accepted that he was being relevant.

MR SPEAKER: You can put whatever you like to me, Mr Humphries, but, when it comes to motions before the house, you have got to remain relevant, and that is what I am telling you to do.

MR HUMPHRIES: You have to be relevant when answering questions as well, Mr Speaker. It is the same criterion in both cases.

MR SPEAKER: Mr Humphries, this is not an issue about points of order at question time; it is an issue about relevance in a debate on a motion which is before the chamber. I am ordering you to be relevant, otherwise I will order you to sit down.

MR HUMPHRIES: Mr Speaker, I am asking you to be consistent. You have ruled in the past, even as late as today, that going back over history is okay when it is relevant to a question before the house as opposed to a question without notice. I would submit to you that it is entirely relevant to take the same approach in such a matter.

MR SPEAKER: I am ordering you to be relevant to the motion which is before the chamber.

MR HUMPHRIES: I value your ruling, Mr Speaker—I won't necessarily say I respect it, but I value it.

Mr Speaker, what this motion does do today is suggest that the government ought to be prepared to—

Mr Quinlan: I have tabled it.

MR HUMPHRIES: He has tabled the protocol—very good. But he also has to be prepared to accept that more transparency needs to occur with respect to the operation of the remand centre.

Mr Quinlan: You are wandering again, Gary.

Ms Gallagher: Do you know what you are talking about?

MR HUMPHRIES: Mr Speaker, I didn't interject at all when Mr Quinlan was speaking. I think—

Ms Gallagher: You weren't here.

MR SPEAKER: Order, members! Mr Humphries has the floor.

MR HUMPHRIES: Thank you, Mr Speaker. The fact is, Mr Speaker, that effectively we have a new remand centre created at Symonston. Mr Speaker, a new remand facility has effectively been created at Symonston. The minister, in the course of his remarks, addressed the question of whether the government promised to put high-risk or low-risk prisoners in that facility. Mr Speaker, that is not mentioned in this motion but you accepted the minister's comments on that as being relevant.

Mr Speaker, may I address the question of what the government has promised to do with respect to high-risk or low-risk prisoners? Do you rule that to be within the relevance of this motion on the basis that it has been already mentioned at length by the minister?

MR SPEAKER: If you had looked at point (1) of the motion, Mr Humphries—if you had taken the time to read it—you would have seen that it talks about what security level of remandees are in the system.

MR HUMPHRIES: I am not talking about the security; I am talking about whether they are high risk or low risk, which, as the minister has been quick to point out on many occasions, is a different thing to whether they are maximum security or not.

MR SPEAKER: You just go for your life and I will measure whether or not it is relevant.

MR HUMPHRIES: I will be looking forward to that. Mr Speaker, the fact is that Labor has backflipped on several occasions on the question of whether only low-risk prisoners would be housed at the Symonston remand centre, and in doing so I think it has misled residents at those suburbs close to Symonston; and it has incurred a very large amount of public expenditure, in many respects on false pretences. People on a number of occasions were assured, publicly, by this government and by this minister—

MR SPEAKER: That's relevant.

MR HUMPHRIES: Thank you, Mr Speaker, I am very pleased to hear that. They were assured on a number of occasions that there would be a propensity, a tendency, a desire by the government to commit low-risk prisoners to that site. *(Extension of time granted.)*

On 9 April this year Mr Quinlan told the house that there would be a protocol, which we have now seen, that would ensure that "low-risk prisoners go there". Those are his very words from *Hansard* on 9 April. I don't have the page number but if you doubt what you said I am sure I could find it for you.

I think statements like that create a fairly reasonable expectation on people's part that we would have only low-risk prisoners at that site or that they would be the majority of prisoners going to that site; that you would see—

Mr Quinlan: No, no. I said low-risk prisoners go there. If you want to be semantic—

MR HUMPHRIES: You might argue that there is a little bit of doubt about it, but I think most people who heard that remark would assume that we are talking about people serving time for fine default, people remanded for relatively less serious crime, maybe fraud or something like that—people who are not likely to constitute a high risk.

But when I put to the minister in the course of the Estimates Committee hearings that he said that, he took a very different view. What he said quite vehemently was: "No, the government had always made it clear that we could have high-risk prisoners at that facility." Mr Speaker, I don't think it matters particularly what the minister wants to say about that matter as long as he is prepared to be consistent about it and let the residents of Narrabundah and Red Hill and the other suburbs nearby know what is going on.

Mr Quinlan put out a press release in which he said, "Only those remandees will be placed there who meet strict assessment criteria as being suitable for placement in this facility. They will discover what those criteria are." Mr Quinlan is reported in the

Southside Chronicle of 22 January this year as having said that most of the prisoners sent to Symonston under his proposal would be women because they were considered less of a risk.

Mr Speaker, I admit I haven't read the protocol which the minister has tabled today. I don't know what the protocol actually says and I am looking forward to reading it when this debate is over. But I would like Mr Quinlan to tell me—and maybe he would like to interject at this point—whether it is the case, as he was reported in the *Southside Chronicle* of 22 January this year as saying, that most of the prisoners sent to Symonston under this proposal would be women because they were considered less of a risk.

Mr Quinlan: That is in the *Southside Chronicle*, is it?

MR HUMPHRIES: Yes, the article reported Mr Quinlan as having said "most of the prisoners sent to Symonston".

MR SPEAKER: Direct your comments through the chair, Mr Humphries.

MR HUMPHRIES: Okay. At the risk of being accused of Gary-ing, Mr Quinlan, I assert that this is what you said to the *Southside Chronicle*, and this is what the *Southside Chronicle* published. We looked at the *Southside Chronicle* on subsequent days to see whether this was contradicted or corrected by the minister in a press release, but it wasn't. We know that this government is quite prone to getting something to the media when it doesn't agree with the way they report, as we have seen from the Chief Minister just this week. I think, therefore, that was a reasonable basis for assuming that the minister meant it when he said that only low-risk prisoners would go there.

Again, in the *Canberra Times* of 10 April the minister is quoted as follows:

> He—

Ted Quinlan—

> told the Assembly yesterday that only relatively low-risk remandees … would be housed at the centre.

If we over here on the opposition bench have got the wrong end of the stick, if we have got it all muddled up and we don't know what is going on, you can forgive us for being confused, given the way in which this matter has been reported in the media, what you said at the Estimates Committee hearing and what was said by you on the floor of this place. What has been reported and said all creates a fairly solid impression that low-risk prisoners would be favoured—indeed, women prisoners, because they were more likely to be low risk—for this site.

I am only going to read—

Mr Quinlan: They will be.

MR HUMPHRIES: I will come back to what you were quoted as saying—that under this proposal most of the prisoners sent to Symonston would be women.

MR SPEAKER: Direct your comments through the chair.

MR HUMPHRIES: I would be very surprised if that is what the protocol that has been tabled here today says. I look forward to seeing what it does say, Mr Speaker.

But the fact is that this government has been inconsistent. It has been unable to give aclear indication of what it is going to do at Symonston. This is because the minister hasn't been particularly interested in the issue. He has not really checked or been careful about what he has to say. He doesn't actually know what the government's position is because he hasn't thought it through.

MR WOOD (Minister for Urban Services, Minister for the Arts and Minister for Disability, Housing and Community Services) (6.07): I rise to enter the debate on one issue, and that is the question of who first said we need a prison.

MR SPEAKER: Well you won't be doing it in this debate because that is not relevant, and if you persist with it you will be ordered to sit down.

MR WOOD: Mr Speaker, I know that. I have listened to what you have had to say. However, in a future debate I will contest to some degree what Mr Humphries has been claiming. I just need to give notice of my intention and I thank you for your tolerance.

MR SMYTH (6.08), in reply: I look forward to reading about it in the Bill Wood memoirs. Mr Speaker, in closing the debate, I would like to make a couple of short points. I note what Mr Quinlan said about point (4) of my motion, which reads:

> no protocol has, at this time, been issued;

Perhaps I should have tabled this; I would apologise to Mr Quinlan for that.

Secondly, Mr Quinlan suddenly raised the question of where did our great concern about corrections issues come from? We started the process many years ago. The justice committee of the previous Assembly travelled many miles, visited many cities and after many months came up with an extensive report. There is the Rengain report on a remand centre and a prison. Also, the site selection process had been undertaken. Really, when the term of the last government finished, the project was ready to go. So I would like to correct what was said about that matter.

I would simply close the debate by saying thank you to the minister for tabling the document.

Question resolved in the negative.

Adjournment

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

> That the Assembly do now adjourn.

Land development

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (6.10): Mr Speaker, in question time today, Ms Dundas asked me a question about the Harcourt Hill joint venture and the Gold Creek Country Club. I have some information for Ms Dundas and I will endeavour to provide the remainder of the information on the next sitting day.

The Harcourt Hill joint venture was established to develop the residential estate in the suburb of Nicholls. The territory is a 50 per cent partner in the joint venture. The development included the construction of the Gold Creek Golf Course and Country Club. Up until December 1997 the country club and golf course was owned and operated by the Harcourt Hill joint venture.

Mr Speaker, as a result of a downturn in Canberra's property market, the Harcourt Hill joint venture was restructured in late 1997. As part of the restructure, the territory accepted full ownership and management responsibility of the country club and golf course. The Harcourt Hill joint venture remains responsible for the development and sale of residential land around the golf course. Since the inception of the Harcourt Hill joint venture, the territory has received a return in the order of $30 million through profit share and land payments from the Harcourt Hill joint venture.

There has never been a join venture with the Gold Creek Country Club. Prior to the restructure of the Harcourt Hill joint venture in 1997, the country club, as I have indicated, was an asset of the joint venture. Following the restructure, the country club became an asset of the territory. The only joint venture is with Harcourt Hill, which develops the residential estate surrounding the golf course. It is worth noting that the Harcourt Hill joint venture has yielded the territory a profit since inception.

Mr Speaker, after obtaining full ownership of the golf course and country club, the government undertook a review of safety around the golf course. As a result of this review, a number of pockets of land have been transferred from the Harcourt Hill residential estate into the area occupied by the golf course. This has improved the safety buffer between the golf course and adjoining residential properties. A small amount of land not required by the golf course was also transferred to the Harcourt Hill joint venture for residential development.

Abortion

MR CORNWELL (6.12): I want to correct something that Mrs Cross said yesterday at the conclusion of her speech. She said:

> The people of Canberra need to understand that when they cast a vote for Mr Humphries, Mr Smyth, Mr Pratt, Mr Stefaniak, Mr Cornwell and Mrs Dunne, they are really casting a vote for the Right to Life Association and the policies and principles of some of the more extreme elements of the Roman Catholic Church.

Mr Speaker, I just want to set the record straight. Members who were in the previous Assembly are well aware, as indeed you are, sir, that my stand on the question of abortion has been that I will vote against any motion, irrespective of who may put it up, relating to this issue. I have made my position publicly clear on this on a number of

occasions and I still stand by it. Therefore, any suggestion that I am really casting a vote for the Right to Life Association or extreme elements of the Roman Catholic Church is total nonsense. It is misleading and I would just like to set the record straight.

CFMEU

MS GALLAGHER (6.13): Earlier this week when browsing through the CFMEU journal, the *Building Worker*—which I have to say is an excellent read—I came across an article which I thought worthy of the Assembly's attention. Too often we hear negative comments about unions and perhaps this is because the positive stories go unnoticed.

On 10 April this year, one of Australia's young construction workers, a South Australian named Lee Alexander, died in a tragic workplace accident. Whilst this was a terrible event for Mr Alexander's young family, the CFMEU rallied to provide his family with assistance. The South Australian CFMEU launched a trust fund to look after Mr Alexander's young daughter, Madelyne.

The article in the journal reports that the ACT branch of the CFMEU raised over $10,000 for the Madelyne Alexander Trust: $3,000 was raised from building workers at building sites; the Tradesmen's club group donated $6,000; and organisers from the union offices here donated $1,000. This $10,000 is a sign of the generosity and solidarity of unionists in supporting a fallen comrade and his family.

The CFMEU has also made a significant donation to victims of Bali. The union donated $25,000 to enable the Red Cross to help the victims by providing essential medical services.

The CFMEU is under constant attack from federal governments. The CFMEU is also under attack from a royal commission, and it is costing the union a considerable amount of dollars to defend its name. However, the union should be congratulated for still giving so generously to those in need, and this contribution should be recognised.

Question resolved in the affirmative.

The Assembly adjourned at 6.15 pm.