



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

27 July 1989

Thursday 27 July 1989

Assembly business	1027
Establishment of a Casino - select committee	1027
Amalgamation of Tertiary Institutions - select committee	1046
Suspension of standing and temporary orders.....	1056
Personal explanation	1057
Conservation, Heritage and Environment - standing committee	1057
Days of meeting	1058
Questions without notice:	
Teacher transfers	1064
ACT Electricity and Water Authority	1064
Freedom of information	1065
Compulsory retirement	1066
Rail passes for senior citizens.....	1067
Tuggeranong Community Council	1067
Yarralumla Brickworks	1069
Cancer screening	1069
Women's employment	1070
Police resources	1071
Street lighting	1071
Rate increases	1072
School gymnasium	1073
Teacher transfers	1074
ACT building contracts	1075
Community medical practitioner	1076
Presentation of paper	1077
Days of meeting	1077
Postponement of notices	1078
Budget 1989-90 (Ministerial statement)	1078
Planning, Development and Infrastructure - standing committee	1097
Adjournment.....	1104
Planning, Development and Infrastructure - standing committee	1104
Rates and Land Tax (Amendment) Bill 1989	1109
Sewerage Rates (Amendment) Bill 1989	1111
Water Rates (Amendment) Bill 1989	1111
Legislative Assembly (Members' Staff) Bill 1989	1112
Suspension of standing and temporary orders	1114
Planning, Development and Infrastructure - standing committee	1114
Day of next meeting	1118
Answers to questions:	
Disposal of tyres	1119
Bruce Stadium	1119
Community medical practitioner	1120
Coach transport	1120
Bicycle safety helmets.....	1121
Dog control	1122
Appendix 1: Legislative Assembly sittings.....	1125

27 July 1989

Thursday, 27 July 1989

MR SPEAKER (Mr Prowse) took the chair at 10.30 am and read the prayer.

ASSEMBLY BUSINESS

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

That order of the day No. 3, Assembly business, have precedence and be called on forthwith.

ESTABLISHMENT OF A CASINO - SELECT COMMITTEE Report

Debate resumed from 26 July, on motion by **Mr Humphries**:

That the recommendations be agreed to.

MR WHALAN (Minister for Industry, Employment and Education) (10.31): Mr Speaker, on behalf of the Government I would like to say how pleased we are to receive the report of the select committee. In doing so I would like to express my gratitude to the committee members for their work and their thoroughness in assessing the issues placed before them and in doing that within quite a tight time frame. I would also like to echo the thanks to the committee staff who obviously did a very substantial job in producing a good, well-written report in a very short time frame.

At the outset of this inquiry the Government was confident that all the relevant issues related to the casino project had previously been examined in a thorough and open manner by the social impact study team and three House of Assembly reports. The fact that the select committee's report is in favour of the casino project proceeding on section 19, City, is welcomed by the Government. As a result, it is the Government's intention to proceed immediately with this project.

The Government has examined in detail the implications of this project. We acknowledge that it will provide a high-quality, enduring development that will ensure that Civic Square becomes a focus for the ACT community. It will introduce a significant new territorial taxation source. It will provide replacement activity for the ACT construction industry, including much needed employment opportunities, and will assist the readjustment of the ACT construction industry to longer-term sustainable levels.

27 July 1989

It will provide increased tourism activity through the casino, hotel, cultural facilities and the close relationship to the National Convention Centre. It will provide substantial long-term employment, especially for the young, and it will focus renewed vitality in Canberra's main business centre, enhance the city by generation of increased life and activity and enhance the Civic Centre.

The select committee's report completely vindicates the Government's faith in the Civic Square project and confirms the previous findings of the social impact study team and previous House of Assembly select committees. The following broad conclusions of the committee's report should be noted and accepted by all those interested in the project. It is the committee's view that the benefits of the establishment of a casino in Canberra outweigh any adverse effects.

The committee concludes that the section 19 proposal, as outlined in the ACT Government's submission, is the most appropriate development for the site.

Mr Jensen: Who is going to pay for the theatre?

MR WHALAN: The committee accepts the analysis of the economic benefits in terms of land premium, employment and ongoing revenue implications. The committee is satisfied that the premium received for the land, together with the ongoing revenue benefit, can be used for the benefit of the Canberra community. The committee closely examined the evidence presented to it relating to organised and community crime and accepts that, provided regulatory assessment and enforcement procedures are in place, there is little likelihood of problem.

There is quite clearly no room for complacency, and the Government accepts the need for constant vigilance, particularly as it relates to the control of the casino. The ACT Government is committed to establishing the most comprehensive casino control and surveillance system in Australia. The ACT Casino Control Act of 1988 provides the basis for that system, and it will be continually monitored for its effectiveness and amended if required.

The Government accepts the committee's report in principle and undertakes to examine in detail all of the recommendations emanating from the report. There may be some cases where the practical implementation of some recommendations require a change. The Government will, of course, report to the Assembly on those matters.

The committee has asked the Government to ensure that sufficient funds are available to complete the community facilities. In this context I should quote specifically from the Government's submission to the inquiry. It said:

The extent to which these facilities can be established will depend on the premium of time for the commercial site and other budget priorities.

27 July 1989

Accordingly the Government is preparing detailed proposals on the application of the premium towards community facilities and other infrastructure requirements. In so doing, the Government will take account of the committee's view on community facilities. The Government will announce details of proposals by the end of August.

In summary, I must say that the ACT community has had extensive opportunities for full and frank debate on the casino issue. All issues have been examined by both independent experts and elected representatives alike, with very similar, positive conclusions being drawn. These studies have confirmed the advantages to be gained from the casino project and the increasing need to proceed with this development without further delay.

The ACT Government is committed to the Civic Square redevelopment proposal and casino and is confident that the majority of the community support the project. It is now time to proceed with this important and vital development. This we will now do.

MR KAINE (Leader of the Opposition) (10.37): I do not intend to say a great deal on this subject. The Liberal Party went into the recent election for this Assembly with a pro-casino policy. It was a pro-casino policy but it was silent on where and under what conditions the casino should be created. On the basis of that campaign I have been asked on a number of occasions over the last few weeks why the Liberal Party supported this inquiry that has just been completed. Our motives were quite simple, honest and straightforward, Mr Speaker.

It was our conviction that the decision to provide for a casino in Canberra had been made by a Commonwealth Minister; that it was reasonable that the ACT people should be given an opportunity to express their opinion on that subject so that there should be a clear, unequivocal understanding of what the will of the people was; and that in the final analysis the decision should be taken by the elected representatives of this community and not by a Federal Minister. So there were no ulterior motives in our supporting this inquiry - simply that honest conviction that this community should express its view and that the representatives of this community should make the decision.

An inquiry has now been conducted. It has been a full and open inquiry. All views in connection with the establishment of a casino in Canberra have been presented or, if they have not, the opportunity was there for them to be presented and, if they have not been presented, then those people who failed to present their view cannot blame this Assembly or the inquiry that has just been concluded.

The fact is that the inquiry has been completed. It has brought down its recommendations. It remains to be seen whether this Assembly accepts those recommendations or

27 July 1989

whether it does not. I would hope, Mr Speaker, that once the Assembly has voted on the issues all people in the community accept that the debate has concluded, that the opportunity has been given to make an input to the debate, that the inquiry has been conducted, and that this Assembly will decide the outcome.

If the outcome is in favour of adopting the recommendations of the report and if it is the will of this Assembly, based on the will of the people, that this project should go ahead, then it is up to the Government to determine how that decision is implemented. So the onus in the final analysis will be on the Government. If the decision of this Assembly is to adopt the recommendation of the committee that this casino should proceed, the onus is on the Government to ensure that the casino is provided in a manner that is acceptable to this community and that it is controlled in a manner that is acceptable to this community. I think, Mr Speaker, that is where the responsibility lies and we in opposition will be doing our best to make sure that what is ultimately provided is in the community's interest and that it satisfies the community.

Mr Speaker, I respect the view of those opposed to the casino. They have a right to put it. They have a right to hold it. They have a right to their conviction. I believe that their view has been adequately represented. I hope that when the debate is concluded, as it will be this morning, and the decision is made, whether the decision goes in favour of their view or not, they will accept that there has been a fair inquiry and that the result is in fact the will of the community. I hope that they, along with the rest of the community, will accept that decision.

MR COLLAERY (10.41): There are two issues in this debate: one is whether there should be a casino in the ACT, which is drawn out in the report of the select committee, and the other is where the casino should be. The Rally's view is, of course, and has been consistently throughout the election period - and individual supporters of the Rally have said it for years - that the question of where the casino should go is as vital as the question of whether we should have a casino, because the symbolism and the nature of the interaction between a casino and a community are inseparable elements of the base question, and base question it is, Mr Speaker.

The fact is that the select committee has taken the place of a full planning inquiry, which any enlightened major capital city in the world would have. The select committee's report is drawn in the face of the fact that the ACT Chapter of the Australian Institute of Architects has encouraged a design competition for an overall city plan. That design competition was held. Various plans were put forward as possible future bases for the development of our great city. They have been swept aside in this headlong rush to the roulette wheel by the

27 July 1989

Australian Labor Party. Mr Speaker, the fact of the matter is that the planning function has been largely ignored in this debate.

When visitors come down Northbourne Avenue in future, on their left as they come to City Hill they will see the casino with the lights and the girlie legs kicking out, and then they will look over the hill and they will see the tripod and the mast for our national Parliament site. That is a sad situation to present to visitors to our city. It is wrong. It is fundamentally wrong.

The worst thing of all in this debate is that there is probably one man largely responsible for pushing this casino onto this city. He is sitting opposite me. He has been an adviser to five Federal Labor Ministers. The decision here represents an ideological defeat for the left wing of the Labor Party. ACOSS and other good Labor supporters have firmly opposed the building of this casino.

I was just looking at a book, Mr Speaker, to give me some inspiration. It is a book by an academic, entitled Isolationism and Appeasement in Australia. I was looking at the performance of the Australian Labor Party between the wars, especially during the depression, and saw how, for a while, a large group of the right wingers in the Labor Party saw nothing wrong with the invasion of Abyssinia, the rise of Nazism and the rest, because those regimes were giving jobs, and the people fell for that sucker line.

And we hear it again. We heard it again on the radio this morning. What a sucker line; what a miserable argument to put to people who are needing jobs; what a way to use and manipulate people and the unions at the moment! And it is no coincidence that we have seen the BWIU out here, the entrepreneurial union of the day with its \$30m planned development in Dickson.

Mr Speaker, this casino issue really links Federal Labor and now Territory Labor in its full image; that is, it is a gambling government, and we know that. From top to bottom, the Australian Labor Party now is under the control of the right wing gambling element. The outcome of the Select Committee on the Establishment of a Casino is a three to two vote. Any lawyers know that if you get a three to two vote in the High Court you do not really accept that verdict; you run it again next time. The fact is, Mr Speaker, that is not a conclusive vote at all. Three to two is a qualified result.

Mr Speaker, the other thing - and I warn my friends opposite me and on my right - is that the Residents Rally scored, I believe, in all but one of the polling booths in inner Canberra in the recent election, all but Deakin, and this decision and the decision to go forward with this will push us further out into the suburbs in our areas of support. But we do not wish to gain support out of this outrageous impost on the community. The Rally does not

27 July 1989

take a view on the moral question of whether there should be a casino or not. The Rally firmly opposes the building of a casino on our City Hill, adjacent to our City Hill, and within the Parliamentary Triangle. That is not an image for future generations. If, God forbid, it goes ahead, it will be a lasting monument to the corrupt era of a gambling government.

Mr Speaker, we have heard the Liberal Party's policy. We can well understand the inner conflicts, and I do not wish to capitalise on the difficult position my colleague Mr Kaine finds himself in, but we do point out that the planning decision is the real issue here. We have seen open government cease in the last couple of months. There has been a pretended open budget. Yet when we agree to withhold comment, this Deputy Chief Minister goes on television, as he did last night, and says that we have got nothing to say, that the opposition parties have got nothing to say about the budget.

Governments should not be run by trickery and tactics, Mr Speaker. The Liberal Party needs to take note of the fact that the Residents Rally will act if this Government further closes its doors on open government. We now cannot even get a response under freedom of information that we used to get. Even under the previous Labor Federal Ministers, at least the Residents Rally was able to get access to files. Now that is not possible. Now we get a bill for \$2,000 or \$3,000, money which of course we do not have because we are a community based group.

The fact is that this section 19 decision, this headlong rush to put a building in our city, is clearly opposed by a silent majority of professionals in the architecture and town planning industry. Of course, the major national developers know what is going on. They want to have a national plan for this great city, and we are being denied that because one edifice is going to be put up next to our City Hill. It is an outrageous act to propose that without a planning inquiry of the type that was had before the Darling Harbour complex went ahead in Sydney, for example - and do not forget Mr Greiner cancelled the casino for that complex within 24 hours of getting into government, and that complex did not collapse economically.

My colleague Mr Moore will draw some points out about the fallaciousness of suggesting that the casino is going to benefit the revenue of the ACT. It will give some jobs to some workers for a short time. Some months ago, I recall Mr Punch telling me, "Mr Collaery, we've got to see all those workers out in the Southside Caravan Park in public housing. That is my duty. That is what I will achieve".

Mr Speaker, itinerant labour is a great tradition in this country. The poems and ballads of Henry Lawson attest to that. Many people who worked on the Hill have moved on and do move on out of the climate of the Monaro when they wish to. There is no reason why we should seek to keep those

27 July 1989

itinerant people who are still here and there is no reason why this Deputy Chief Minister should propose that the idea of the great Australian tradition of itinerant labour being allowed to move and not cajoled into staying by its union bosses should be ignored.

Mr Berry: Especially if they park in Reid or Braddon.

MR COLLAERY: Mr Speaker, we are all not as comfortable as members of the firemen's union, but I am sure that Mr Berry will be required to hose this one down for his party soon. It is very clear to us that the Chief Minister feels lukewarm about a casino. That has been evident from negotiations and other matters and I will not reveal personal confidences of that nature, not that I ever got any, but, Mr Speaker - - -

Mr Kaine: What does that mean?

MR COLLAERY: You can take that for what you like, but the Chief Minister has a broad grin. The fact of the matter is the left wing of the ALP in the ACT opposes the casino. They are going to have to stay now with their developer friend in their midst, Mr Whalan, and of course he will be a very successful Deputy Chief Minister for the development industry in this Territory, but it is not really a Labor government that we see bringing this on.

Mr Speaker, the Rally takes the view that, if closed government continues any further, if outrageous decisions like last weekend's decision to remove all teachers who have been in secondary colleges since 1976 - a sort of Pol Pot routine - keep up, the Rally will look very carefully at its options to move a vote of no confidence in this Government.

We warn this Deputy Chief Minister that if he attempts to start this section 19 development before there is a full planning inquiry, conducted in a professional and ethical manner, in the manner that other inquiries have been conducted interstate, we will look very carefully at moving a motion of no confidence in this Government, and then of course the Liberal Party will have to make its mind up about how it wants to go, whether it wants to be seen to be responsible for keeping this man, this Deputy Chief Minister, in government. We know that he scored 300-odd votes in the last election. He does not have much support, but he has much power at the moment in this town.

MR MOORE (10.51): Mr Speaker, let me start by reading from our policy on the casino because there seems to be much confusion about what we attempt to achieve and what we think we are going to achieve. I will start with a lead-up to it, and that is the Rally policy on section 19, because the two are difficult to separate. The Residents Rally does not consider that the proposed development for section 19 is appropriate as it offers only a piecemeal approach. With reference to the casino, the casino Act of 1988 should

27 July 1989

not be implemented against the wishes of the ACT community. I have heard Mr Kaine today say, in a number of statements all directed towards the same thing, that this is clearly the will of the people, it is clearly the will of the community, and so on. We have no real indication that it is the will of the community.

The report that we have in front of us questions the sorts of polls that have been taken. There is only one real poll that is possible and that also forms part of the Rally policy. My colleague Mr Collaery has pointed out that in a judgment where there is a vote of three to two, as this one was, the issue is divisive.

Under those circumstances it should be resolved by referendum, and I would argue that the only way to handle this situation now is for this Assembly to decide to run with a referendum on this particular issue. To suggest that we know very well the will of the people is ludicrous. We do not. The vast majority of the people, I imagine, do not have strong feelings one way or the other, but they do have feelings and they do have indications.

If people are asked a series of technical questions in a poll, of course they can be led towards an answer. There was a graphic demonstration of that in one of the Yes, Minister programs. People can easily be led into believing that something is good for them. It can be done along the lines of asking, "Are you interested in employment in the ACT?". Of course I am interested in employment. "Do you realise that the building industry is going downhill?". Of course it is going downhill. "Do you accept that therefore we need more development in order to employ people?" Yes, I do. "Do you support the building of a major construction in section 19?" Yes, I do. "Because it is the only employment opportunity available at the moment should we follow it?". Yes, it is only appropriate.

If you take that line of questioning, of course people are going to respond "yes" when they have not got all the facts at their fingertips. If of course you use your wording in an entirely different way and say, "Are you aware that there are major social problems associated with gambling?", the answer will be, "Yes, I am". If you lead through a series of questions along those lines, then equally you are going to come up with forcing people into an answer "no".

A fair and equitable way to approach this is of course to run a referendum. Mr Whalan in his speech this morning talked about increased employment and the push for employment opportunities. That is tied in with development and tied in with the building industry in the initial instance and then later employment for young people, as he said. Using this sort of argument to lure people to support this type of project is rather reprehensible.

Mr Collaery: Shame; disgraceful!

27 July 1989

MR MOORE: With reference to the building industry, I have seen very little attempt by this Government to look at the basic, conceptual planning issues behind this city. I spoke at length on that yesterday. Why have we not seen an effort to set this city up so that the sort of construction that we would like to see continue - and we would all like to see it continue - starts to take place in Tuggeranong, where the Deputy Chief Minister himself lives and to which area he pays lip-service? Why do we not see it there?

It is not difficult to do. We have a fantastic system. We have an easy control mechanism here within Canberra to do it. It is the leasehold system. It is not difficult to write into a leasehold system a restriction that Commonwealth public servants not be allowed to be part and parcel of a development or to go into a development within that lease. It is possible. We can use our power in order to control the development in Canberra.

This particular development that we see on section 19, which not only has a casino but which also has a series of office blocks, will exacerbate the problems that were brought out by Justice Kelly in the Concrete Constructions Canberra Times site case. It will also cause other planning problems. What we need for section 19 is an overall conceptual view, and there has never been that conceptual view. The Institute of Architects has presented in a competition a series of possibilities there and still very little notice has been taken of these because Mr Whalan is gungho, ready to push this casino through, whatever his motive. I must say I have for a number of years questioned that motive.

I have made it very clear that I have not had the very strong feelings of other members of my party about this particular casino development in terms of a casino per se, but I do question the sorts of motives that have pushed so hard for so long in order to get this.

What are we lured in with? We are lured in with a lyric theatre of 1,800 to 2,000 seats - that appeals to me greatly - and a playhouse of 600 to 800 seats. I have been involved in drama for many years myself and - - -

Mr Collaery: You still are.

MR MOORE: And still am, exactly, and will continue to be. We are lured in with a studio theatre of up to 300 seats. That is good. We heard the Minister this morning on the radio talking about these and - - -

A member: Did he talk about them? I did not hear it.

MR MOORE: It is what he did not say that we are concerned about. Just exactly what is happening about these? Let me draw attention to paragraph 4.14 of the report on page 17. It says:

27 July 1989

While the Committee does not propose to divulge the likely premium, nor the costs of the proposed facility, it is apparent that the premium obtained could only finance approximately 50 per cent of these facilities.

So already that promise is going backwards, and no doubt it will be like the White Industries building, which started with a series of office blocks and car parks and wound up with more office blocks and no car parks. What is going to happen to these facilities? Are we really going to get any of them?

The report continues:

While the Committee does not suggest that there has been any attempt to mislead the Canberra community -

That committee might not suggest it but I do suggest it -

it is apparent that there is a perception that the premium obtained would be sufficient to finance the total community package. This is clearly not the case.

That is the sort of thing that this community has been lured into.

Look at the recommendation on page 18, that "the Government ensure that sufficient resources be allocated to enable the completion of the community facilities". Where are these resources coming from? What have we got at the moment? We are looking at a budget and we are borrowing \$62m for capital works. What are we going to borrow to do those and where is that money really coming from? Are we actually going to wind up being the community that really supports the casino out of its own capital budget in an indirect way? That is the way things are beginning to look.

According to Mr Whalan, all the studies that have been done have confirmed the advantages of the casino. Certainly they have confirmed some of the advantages of the casino but they have also confirmed many of the disadvantages of a casino. Mr Humphries in his speech the other day talked about weighing the balance and how the balance in favour of a casino and against a casino worked. His conclusion was that things come out in favour of the casino, and that happens to fall in line with Liberal Party policy. However, two other people found the balance went strongly the other way.

I will go back to the comment by the Deputy Chief Minister on employment for the young. What sort of employment are we talking about, what is this casino really going to offer Canberra, and is it the sort of employment that we want our young children to be involved with?

27 July 1989

DR KINLOCH (11.02): Mr Speaker, let me make some preliminary points. I do not speak to this matter out of some kind of blameless life locked in the chapels of ivory towers. I have long been, and therefore, as those who understand the nature of addiction can tell you, I am now, and continue to be, a compulsive gambler. I will pass over the details. Some of you know of them.

As I think about the Commonwealth public servant who, last year at Lasseter's Casino in Alice Springs, went through a million dollars worth of public cheques, public money, intended for Aboriginal developments - he is now in gaol, I add - my reaction is one of reflective sorrow: There but for the grace of God go I. The same applies to Rex Jackson and the Adelaide test cricketer, both of them now in gaol, and to the Northern Territory public official of whom we heard in the casino inquiry, whose wife cannot allow him access to money - a man in public office who cannot be trusted.

So I have been lucky. I give thanks to my wife, to some good friends and wise counsellors, to Gamblers Anonymous, to such people as Dr Mark Dickerson who appeared before the select committee, to the loving influence of the Society of Friends and to my colleagues of the Committee for a Casino- Free Canberra that I am here, able to speak about the dangers that can beset us, especially of the levels of gambling that could beset us, represented by gambling casinos.

Let me give you a more famous and tragic example. Oscar Wilde - incredible man, wonderful genius - wrote from Reading Gaol one of his most magnificent works, The Ballad of Reading Gaol:

Yet each man kills the thing he loves,
By each let this be heard,
Some do it with a bitter look,
Some with a flattering word.
The coward does it with a kiss,
The brave man with a sword.

But his greatest work of all is De Profundis - words from the Latin Mass - "out of the depths". He had been disgraced by the societal values of his time, but also by his own values. As he contemplated his terrible and damaging relationship to Bosie, to Lord Alfred Douglas, he had to recognise that there had been nothing noble in it. Bosie had been selfish, idle, wasteful, unfaithful, stupid - a trifler, a man of superficial values and tastes. Wilde reflected on this in De Profundis. This is addressed to Bosie:

...your will of course directed everything. At the time when I should have been in London taking wise counsel and calmly considering the hideous trap in which I had allowed myself to be caught...you insisted on my taking you to Monte Carlo, of all revolting

27 July 1989

places on God's earth, that all day and all night as well you might gamble as long as the Casino remained open.

And Wilde, at the end of his life, realised the problems of his previous life. Out of the depths he quoted Baudelaire's call to God, "O Seigneur, donnez-moi la force et le courage de contempler mon corps et mon coeur sans degout" - "O Lord, give me the strength and courage to consider my body and my heart without loathing".

I want now to consider the terrible dangers of addiction not only for an individual but for the state. And may the state say, "O Lord, give me the strength and courage to consider my body and my heart without loathing". I would remind the Assembly that, by Dr Dickerson's figures or the figures suggested yesterday by Mr Duby, about one per cent of Canberrans are already compulsive gamblers; that is, about 2,500 to 3,000 people. Dr Dickerson thinks it may be as many as 5,000. Please read the opening sections of the Caldwell report.

Consider then the rule of thumb ratio of how many people are affected by compulsive gamblers: wife or husband, family, employees and employers, banks and credit agencies, and friends. The rule of thumb number is 10 to one. This is not mine; this is in the literature. Say, 30,000 to 50,000 Canberrans. That is right now - look at the Caldwell report - before the introduction of a casino.

Raise that figure, as it suggested in the report, by another 10 to 15 per cent in a post-casino scenario. That is 35,000 to 60,000 people affected by compulsive gambling, one in five people in this city, and that is only the people in the city. We are not talking, Mr Humphries, merely about 84 additional gamblers. I would want to worry just as much about visitors to this city, visitors who come here to see their national capital. They do not come here to lose money. They do not come here to feed a gambling industry. They come here to see what is best about Australia, this country which I am committed to and I love; this city which I love.

They do not come here to be ripped off. They do not come here to get hooked. Mr Humphries' equations of yesterday worry me. I do not see it as a few tragedies on the one hand versus several thousand jobs, if there were to be those jobs, on the other. I believe in an ethic which cares for the lost lamb, the errant prodigal son. But, anyway, it is not just a few tragedies for a few individuals; it is a series of tragedies affecting the entire society.

But I want now to turn from the individual to the state, and I do what my father would do. He would quote Proverbs and I quote from the edition of the Bible, the Catholic approved edition, for which I am grateful to this Assembly, which gave it to me on 11 May. This is from chapter 29. These are great, great words. I ask you to think about them. Verse 2:

27 July 1989

Show me a righteous ruler and I will show you a happy people: show me a wicked ruler and I will show you a miserable people.

Verse 4:

When the King is concerned with justice the nation will be strong: but when he is only concerned with money he will ruin his country.

Verse 8:

People with no regard for others can throw whole cities into turmoil: those who are wise keep things calm.

Verse 16:

When evil men are in power crime increases: but the righteous will live to see the downfall of such men.

Verse 18 - and I quote from the King James version for the beauty of its prose:

Where there is no vision, the people perish.

My friends and colleagues in this Assembly, and I consider all of you my friends, we have been together now for 11 weeks only. We have been involved in historic matters, great precedents, great beginnings. I believe in the good faith of all those present. I do not have a conspiracy about anybody. I believe that we all love our city, we all have every intent to cause it to flourish in mind and body - *mon corps et mon coeur*. But after 11 weeks, what is it now that we are in danger of doing? Eleven weeks we have been here.

May I especially address my remarks to our Chief Minister, Rosemary Follett, who knows I personally admire her. I hope she realises that. I am not trying to single her out, except that when one deals with the ship of state one deals with the captain. Does she wish this first ever Legislative Assembly of the ACT, the first ever Australian Government headed by a woman - and I am not a tokenist - to be remembered by the imposition of a casino? This is the first ever chance for the voice of the people to be heard, not 24 per cent of the people, the ALP vote; not 14 per cent of the people, the Liberal Party vote - 38 per cent together - but all of the people. Are they to be heard?

The danger is that the state itself becomes the chief addicted gambler. If we see a Follett casino in place - and, Rosemary, may God forbid that we see that in place - as your \$2m tax on X-rated videos locks you into the ponces of pornography, so you and your government are in danger of being locked in to a hotel chain, the casino, a gambling industry.

27 July 1989

I ask you to consider again that dear lady at your school whom you mentioned yesterday. Would she turn in her grave about this casino? I believe she would. It is the state which becomes the permanent addict. In the words of the prayer we hear so well said by you, Mr Speaker, we pray for the true welfare of the people of the Australian Capital Territory. That we do indeed pray for, O Lord.

We also have a trust and you, Chief Minister, have a trust, to uphold this city at its noblest, not only for the citizens of Canberra but also for the citizens of Australia, for the two largest States of Australia, for New South Wales where the casino has been denied and for Victoria where it has been denied.

My time here is very short. I want to assure the Assembly and Mr Kaine that the Rally is indeed listening to the voice of the people. We heard them again this morning on radio 2CN, and something like eight to one were against the casino. And I assure you all that, as I step out of this Assembly this morning, the fight for the honour and nobility of this city will continue. If anything, I am heightened and strengthened by the three to two vote. (Extension of time granted)

So I want you to know that the fight begins this morning. It does not end; it begins. It begins in the press, in the media, in lectures, in talks, in meetings, in political rallies. I will want everyone in this city to know who is in favour of a casino and who is not. I will certainly want it to be known in the next Federal elections, whoever is running, who was in favour of the casino and who was not. I would want it to be known by February 1992. But I hope it will not come to that.

I hope that in this Assembly, given a conscience vote, an open conscience vote - I do not want some secret little sneaky thing going on; I want an open conscience vote - everyone in this place will say, "After 11 weeks of a brand new Assembly this is what I believe. I believe that this city needs a gambling casino at its very heart" - yea or nay. I want to hear that yea or nay from each person in this house.

I am going to conclude with a statement from a very dear friend and colleague who brought me to this city. I am here thanks to him. I rejoice that I am here. I rejoice to be in this Assembly. I care so much what goes on here. Manning Clark in his last volume of A History of Australia, volume 6, has this to say. This is his last page, page 500, a lifetime's work. He is talking about recent times and he says:

Restraints on human behaviour were thrown aside. Nothing was sacred, nothing escaped examination. Men and women walked naked on the beaches, the stage and the screen and they were not ashamed. Men and women

27 July 1989

no longer conceded to politicians, priests, parsons, professors or presidents of the Returned Services' League -

and much of that is excellent -

the right to draw up codes of behaviour, or prescribe what could or could not be read. The people broke the Tablets of the Law. The people killed their gods. The people turned to the worship of the Golden Calf.

I plead with my friends and colleagues in this Assembly to recognise that this is a decision only marginally made; that it was done in great haste. It was done, to be sure, with an honest intent. I bear no ill will to any of those on either side, but I ask that this case now come before this Assembly.

I do indeed promise this: that whatever happens I will be introducing a private members Bill to repeal the ordinance which allows gambling casinos in this Territory and then we will certainly have a chance to declare our yea or nay. Mr Speaker, thank you for the indulgence for the extra time. I ask that your prayer, the prayer that you read, may rest upon this Assembly.

MR BERRY (Minister for Community Services and Health) (11.15): Mr Speaker, I, like other speakers, welcome the full and open inquiry that was conducted by the Select Committee on the Establishment of a Casino and I congratulate them on the work that they carried out and the energy that they put into that inquiry. All of the people of Canberra and the interested groups had the opportunity to make submissions to that inquiry and, as the Leader of the Opposition has said, as to those who chose not to do so that was a choice of their own and, of course, the day is over for submissions and the decision has been made.

Labor, like the Liberal Party, was elected with a pro-casino policy, and I think it is now clear that on the basis of the numbers in this house the people of Canberra have made a decision about a casino. Both parties were elected with a pro-casino policy and both parties are moving to deliver on that promise, and I think that is the most appropriate course.

Mr Jensen: 34 per cent, Wayne.

MR BERRY: Well, the fact of the matter is if you have not got the numbers in the Residents Rally party you do not win the day.

Mr Collaery: There is always another day.

MR BERRY: Labor and Liberal were elected on a pro-casino policy. I suppose you would move to pull it down, Bernard. Both the political parties with the pro-casino policy are now moving to deliver on their promises. We in the Labor

27 July 1989

Party accept the challenge to deliver the project in a form most acceptable to the community. There is no doubt that we will work very hard to ensure that our promise is delivered in the most palatable way. I am sure that even the leader of the Residents Rally party will have the opportunity to enjoy what we deliver.

Mr Collaery: I do not get a fireman's salary.

MR BERRY: I do not see too many lawyers leaving their profession to join the fire service, Bernard.

Mr Collaery: Only the poor ones go into government.

MR BERRY: Like the Leader of the Opposition, I take the view that it is now time to accept that the argument is over and to get on with the job, and with the provision of work for Canberrans to look forward to the prosperity of the Territory. It is pointless to bear any bitterness over this issue. The fact of the matter is that the argument is over. Despite what the leader of the Residents Rally party said, the decision is a victory for working people because it will deliver jobs, and unemployment is one of the greatest evils of society, as Mr Collaery well knows. It will deliver jobs for the people of Canberra and particularly for the youth of Canberra, and that is a very important feature of the whole project.

Mr Moore: So will legalising prostitution.

MR BERRY: Well, indeed, if you want to raise the issue of the legalisation of prostitution, Mr Moore, you ought to do it instead of sniping from the sidelines. The fact of the matter is that it will deliver jobs, and Mr Collaery's grandstanding on the issue does not do a thing for the debate. The fact of the matter is that we are about delivering jobs and prosperity for the ACT, and that will be done.

Mr Jensen: Why on this project?

MR BERRY: Well, if we can go back to the Residents Rally party, the Residents Rally party sought to negotiate with the Labor Party in the lead-up to this Government to deliver a casino, as I recall - - -

A member: Garbage!

MR BERRY: Well, I can recall that. I was involved in the negotiations, but the place that you wanted to deliver it in was in a place where it would not work. You were prepared to deliver a casino that would not work.

Mr Collaery: On the border of New South Wales.

MR BERRY: No. You were prepared to deliver one in Fyshwick. Let us not fool around; you were prepared to deliver a casino where it would not work.

27 July 1989

A member: Can't you take a joke, Wayne?

MR BERRY: We have been putting up with a joke ever since we have been here. The fact of the matter is you were prepared to deliver a casino where it would not work. The Residents Rally is clearly an anti-development party.

Mr Jensen: Go on. We have some planning concepts and understanding of planning.

MR BERRY: Well, over and over again you are trying to stop development and stop progress in the ACT - you are an anti-worker party.

Mr Jensen: Read my report, Wayne.

MR SPEAKER: Order! Members will address their comments through the Chair.

Mr Jensen: I am sorry, Mr Speaker.

MR BERRY: And you oppose the delivery of jobs to Canberrans.

Mr Moore: On a point of order, Mr Speaker; Mr Berry knows certainly that the Residents Rally has encouraged time and time again development in Tuggeranong, so he is attempting to mislead the house.

MR SPEAKER: Mr Moore, that is not a point of order.

MR BERRY: You would not propose to do much development around your own front doorstep, Mr Moore. You have got a long history of trying to preserve a privileged enclave for a few of your supporters, but you forget about the rest of Canberra. We have got to deliver for the rest of the Territory. I must say that I view Dr Kinloch's passionate speech about gambling with some sympathy, and addictions of any order are a great problem to society. But I must add that I felt that the arguments that the good doctor put had some similarities to the arguments that were put in the prohibition days, and I do not think they are particularly relevant.

I would say from my own point of view that, where there are people with any sort of addiction, they deserve proper assistance that flows from a good, socially based health and welfare policy. But it is not an issue in this debate. It is not something on which one would seek to prevent progress. The fact of the matter is life goes on. This Assembly will now deliver a project that will provide hundreds of jobs for people of the ACT. Our children will get jobs.

If we take the Residents Rally's position, of course we will be able to burden the Commonwealth with all of our unemployed. Mind you, the lawns will stay green around

27 July 1989

Reid, but we will burden the Commonwealth with our unemployed. What this Government is about is delivering jobs for the people of the ACT. That is progress.

MR HUMPHRIES (11.23) in reply: I welcome the announcement from the Deputy Chief Minister this morning that the Government has accepted in broad terms the recommendations of this report, and I welcome in particular the news that there will be some announcement by the Government towards the end of next month as to, in particular, the question of how the community facilities which the report identifies as being so important to this whole proposal are to be structured and presumably funded. I emphasise the point in the report that we see those facilities as being extremely important and their delivery as being essential to the proposal, that the shortfall question is a serious one, and that we hope the Government can address constructively and imaginatively the way in which that might be overcome.

I want to just briefly correct some misquoting of me that occurred in the Canberra Times this morning. I was quoted as saying that there would be a \$10m shortfall. I did not say that. I said that the shortfall could be in excess of \$10m.

I want to pick up a few points that have been made in the course of this debate by members of the Residents Rally. The impression was created in one remark that the Canberra casino might bear some of the hallmarks of what we might call Las Vegas style casinos, neon signs, with dancing girls, flashing lights and the sort of thing we associate with the worst of American casinos. I sincerely hope that that is never a feature of any casino in this city, and I hope that that kind of image of a casino is not the one that the Government has in mind. We have a certain style in this city and I see no reason why the casino could not fit in with that style. The Las Vegas model is not one we would use for this city, I hope.

The Residents Rally made references to the will of the community - Mr Moore used that phrase. Dr Kinloch referred to the voice of the people, the need for us to know what people think on this issue, and referred to the votes of the respective parties during the recent election. I want to remind the Residents Rally that in the course of that last campaign a separate campaign was conducted by people, including the Committee for a Casino-Free Canberra, against those parties that supported a casino. They published large ads in the Canberra Times saying, "Do not vote for these parties. Voting for these parties is a vote for the casino". They said that they identified the particular candidates and they identified the parties.

The fact is that in this Assembly, duly elected, are at least nine members elected on a platform of supporting a casino for Canberra, and sitting in this chamber are only four members elected expressly on the platform of opposing a casino for Canberra.

27 July 1989

Mr Moore: Rubbish; that was not a single platform.

MR HUMPHRIES: Well, all right, you were not even expressly opposed to a casino. The fact is that, if you take that view, then there were no people elected to this Assembly expressly opposed to a casino, if that is what you want. The fact is that there are nine who were elected on that platform. You have had your referendum. Your referendum was the last election. You cannot ask for another one. I do not accept that the Residents Rally, with a primary vote of less than 10 per cent of all voters in this Territory, has the right to say that the issue has not been resolved, that the electorate needs another chance. The electorate had the opportunity at the last election, with all the other issues put before it, to vote on this issue, and it did.

Mr Moore referred to the committee's report conveniently being in line with Liberal Party policy. I remind him that there was a three-two majority on that committee in favour of the casino and, if he believes that there were some political starting points in some of the parties that they did not deviate from, I would point out that was probably the case very much so for the Residents Rally.

In the course of all our discussions on that committee, one of the issues I wanted to raise all the time was an issue that the Residents Rally has been concerned about for a long time, and that is the symbolism of having a casino on the slopes of City Hill. That is an issue that the Rally has long campaigned about, and I asked witness after witness after witness about that very issue.

The fact is that, of all the witnesses we spoke to, only one felt strongly that, if there were going to be a casino, it should not be on the slopes of City Hill. As I recall, that witness was Dr Kinloch himself. It was not an issue, and yet the position of the Residents Rally member of that committee at the end of the debate was that some cognisance should be taken of the fact that we should not have a casino on the slopes of City Hill. Dr Kinloch referred to 86 additional gamblers. I did not say 86 additional gamblers. I said 86 additional excessive gamblers - extreme problem gamblers. That is what the Caldwell committee said, and I think that that has got to be borne in mind.

This is a hurried report in one sense, but it could have been a lot slower had it not been for the fact that we were traversing the ground that had been traversed by many people before us. We were not raising these issues for the first time. We had three previous inquiries by predecessors of ours in previous legislatures and houses of assembly. We had the Caldwell inquiry, which was a comprehensive and good inquiry. I do not believe most of us really believe that that inquiry was badly done. It was well done.

27 July 1989

We come to the point, Mr Speaker, where we have got to make a decision, and that time has come now. It is time for us to make a decision on this issue. We have addressed the issues to death. The evidence, in my view, is entirely clear. We must proceed. The time has come now to take a vote and I believe that we should all live with the result of that vote.

Question put:

That the motion be agreed to.

The Assembly voted -

AYES, 11

NOES, 5

Mr Berry
Mr Duby
Ms Follett
Mr Humphries
Mr Kaine
Ms Maher
Mrs Nolan
Mr Prowse
Mr Stefaniak
Mr Whalan
Mr Wood

Mr Collaery
Mr Jensen
Dr Kinloch
Mr Moore
Mr Stevenson

Question resolved in the affirmative.

AMALGAMATION OF TERTIARY INSTITUTIONS - SELECT COMMITTEE Report

DR KINLOCH (11.31): Mr Speaker, I present the report of the Select Committee on the Amalgamation of Tertiary Institutions, together with copies of the minutes, proceedings of the committee, and copies of the transcript of evidence. I move:

That the recommendations be agreed to.

It has been an honour to have been involved in the work of this select committee. We thank the Assembly for the trust you placed in us. May I begin with my most sincere thanks to my colleagues Bill Wood and Gary Humphries. I thank Bill, who deserves an academic chair, a professorship of committees, for being such a kind and constructive mentor, based on a much wider experience of political life than I have had. His initiative in one crucial matter has been a vital and central element in whatever achievements emerge from the eventual outcomes of this report. I especially thank him.

I similarly thank Gary Humphries, whose fair-mindedness was equally notable on weekends as well as weekdays, and we

27 July 1989

were often meeting on weekends. I am sure that this is the experience of all of us on our various committees, that political loyalties are not ignored but are often put into a better context of carrying out the tasks at hand. The committee work of this Assembly is among the most important work we do.

The three of us did not come to this inquiry with preconceived conclusions, no matter what positions we may have taken earlier, before we had studied the matters before us. Each one of us learned a great deal, including discovering far more than we had previously known about institutions with which we thought we were already familiar. I particularly remember the occasion at the Australian Defence Force Academy when Mr Humphries, to his own surprise, was called on to make a comment to our most generous hosts. He said, at a moment's notice, that seeing the academy was like discovering a room in one's own house that one did not know existed, a room full of good things. Indeed, our city has many fine rooms.

The three of us came to appreciate the great range of subjects, disciplines, research projects, teaching programs, resources and expertise within the four walls of the ACT. We especially came to understand the range of excellence in the academic, scholarly and educational life of our city. We saw, at first hand, one kind of excellence in advanced research, and may I stress that it was not only in the Institute of Advanced Studies where you would expect it but in all of the institutions we visited. We saw another kind of excellence in the enthusiasm for a variety of educational enterprises involving teaching and research, sometimes stretching over institutional boundaries, as in the case of the earth and environmental sciences, both in the ANU and the CCAE.

During the time of our inquiry we had the pleasure of attending concerts by the Canberra Youth Orchestra and the Canberra Symphony, areas of excellence related in large part to the School of Music. We literally saw visual excellence not only, as you would expect, at the School of Art, but at the ANU and at the CCAE, and indeed at ADFA, as I recall. At the CCAE we watched the careful repair of damaged works of art. We need to foster all those many diverse excellences within the most appropriate and best possible institutional and administrative framework.

Before coming to our specific conclusions, I would like to thank not only my Assembly colleagues, but also the devoted, hardworking small staff which made this report possible. First Mrs Beth Young, who was right there at the beginning and right there at the end, correcting little faults; our secretary, Ms Cheryl Scarlett, who wrote most of the report and saw it through every stage, including that panic period last night when yet again the computer was user unfriendly - that was good team work last night, thank you all - and also John Cummins for his wise advice as the rest of us tackled a task with which we were

27 July 1989

unfamiliar. I thank also Tracy Williams, Melinda Stirling, Kim Blackburn, Jean Cochrane and other secretariat staff who did noble work, often at strange hours of the day and night, including yesterday. I re-echo the remarks of other chairmen. I recall Bill Stefaniak doing the same and Gary Humphries as well. The citizens of Canberra, Mr Speaker - I would really like to emphasise this, I am so aware of it over these 11 weeks of this Assembly - should be grateful for the quality, dedication and professionalism of our public service staff.

What then have we done? What do we recommend? I hope the report speaks for itself. Briefly, we have recommended that the ANU and the Canberra Institute of the Arts amalgamate as soon as possible. To that extent we recognise and participate in the dramatic changes in tertiary education undertaken by Minister John Dawkins and we thank him for his attendance with us. We commend the leaders of the ANU and CITA for their thoughtful and well-argued cases and their careful route to affiliation, and perhaps that is the clue to it. We therefore recommend an even more careful path for the ANU and the CCAE.

Those institutions, excellent institutions both, with such different backgrounds and experiences and range of excellence, need an extended courtship before any formal consummation can be achieved. Courtship involves, in the words of the song:

Getting to know you;
Getting to know all about you.

That is a joyous task we lay on the staff and students of both the ANU and the CCAE. Preconceptions need to be set aside - perhaps not the happiest choice of words now that I look at it again.

The two campuses need to exchange ideas, personnel, hopes and fears; they need to exchange excellences. So I call on the professors, administrators, student leaders and the staff and students of both institutions to try a period of, as used to be said, walking out together. If our Assembly could help or participate in that process, I hope we could be appropriate matchmakers. Just as a beginning, could we sponsor a special Bruce-Acton day of joint activities on both campuses. I commend this to the Deputy Chief Minister.

Meanwhile - and I recall that seven years was once an approved period of waiting for one's beloved - there are more important, immediate initiatives and tasks. None is more significant than removing from the three institutions the paralysing dilemma of uncertainty. Without delay the CCAE needs to change its formal status to that of a university, as is the case with other CAEs throughout the nation. It must not be left as the only CAE in the country which does not have that status. Otherwise it will not be able to compete fairly for staff and students. The CCAE

27 July 1989

already measures up to the criteria of a university as declared by the Australian Vice-Chancellors Committee. We call on the Federal Government to begin the process of making that possible.

The committee recommends that the ACT Government should begin negotiations to take on the formal responsibility, as with other States of the Commonwealth, of a caring oversight for the new university. As soon as it can be done, this Assembly should formally create that new university. There is a great work for us to do. That is the kind of thing we should be doing in this city. Members will note that we have not named that new university, although the name "University of Canberra" was discussed. I am not sure at all that it is our prime business to think of that. Others should discuss it first.

One of our main terms of reference was the future relationship between the ACT Executive - therefore the ACT Government and the ACT Assembly - and the three institutions named in those terms. The committee, however, now presents those conclusions under the heading "Relationship between the ACT Executive and the new institutions". I stress "new" because our future responsibilities will be towards two new institutions - an amalgamated ANU to include CITA, so a new ANU, and the new university. Specifically, we need to work out very carefully how we intersect with a national institution which we recommend should continue to be the responsibility of the Commonwealth. Part of that new institution has intimate ties with the local community and that is wonderful to see and to know, and that community - that is us - helps to fund some of its activities. That will be a matter for negotiation.

We also need to consider the nature of our responsibility for a new university which we will have created. That university will need to have its own autonomy, but we will need to be in constant close touch with it. This is an opportunity for creative work for the Government, and again at this point we pass that over to the Deputy Chief Minister. We hope, however, that all members of the Assembly may be involved. I certainly look forward to such an involvement.

We addressed other unresolved matters, especially the question of ADFA, the Australian Defence Force Academy. We heard all kinds of things about that. Administrative tidiness does not always sit well with organic development. At the moment ADFA, a distinguished national institution, is directly linked with the University of New South Wales. In logic, it might make more sense for it to be linked with either of the two new institutions in the ACT, but it is not always wise to interfere with what is already proceeding successfully - not wise perhaps to interfere with the nature of this city as it proceeds. The select committee hopes, however, that ADFA's links with the ACT community will expand and be strengthened. We are sure the

27 July 1989

will be there on ADFA's side, but this will be a two-way process, involving the ANU and the new university as well.

Finally, the committee regrets that we were not able, partly through constraints of time and resources, to carry out a wider investigation, especially of all the extensive educational links between local and national institutions. One thinks of the roles of the National Library, the National Gallery, the National Science and Technology Centre, the National Film and Sound Archive, the Australian Federal Police Academy, for example, but one could think of many others, such as St Mark's Institute of Theology, Signadou and so forth. That will remain for another future committee. We lay down our work, hoping that what we have suggested will be achieved without delay. And now may I quote in conclusion from the preface to the report:

We hope that the outcome of these enquiries will be far more than settling some temporary problems of organisation and structure. We urge all the institutions concerned to see new beginnings and challenges, to reject old and often outdated assumptions -

and I personally would want to address that remark to the Australian National University -

and to build on the reputation of our national city as the very heart of research, scholarship, education and training in Australia.

MR WOOD (11.43): Mr Speaker, Dr Kinloch has outlined in summary the conclusions and recommendations of the report. I want to say, among other things, that I have valued the debate that has occurred in the last couple of months and the opportunity I have had to expand my education in and around these educational institutions. We now look to the outcome of this report, we look to the future of the institutions; but let us accept the reality of it: this report alone cannot initiate action.

The institutions and the community now look to the ACT Government as it has expressed its attitude, and most critically to the Commonwealth Minister for Education, John Dawkins. I have no doubt that there will be continuing discussions between the ACT Government and Mr Dawkins and the institutions concerned as we work to a resolution of these problems.

There is still a great deal to be done - I hope that it is done very quickly - before we reach the resolution that is in the best interests of all those institutions. Mr Speaker, I have differed from my colleagues in two important points. I prefer an amalgamation now. I will explain that shortly. I would also prefer that the Institute of the Arts be amalgamated with the Canberra College of Advanced Education or the new institution that it becomes.

27 July 1989

Let me give you some background to my thinking. In my university days I was much impressed by some words I read from Harold Wilson - they may not have been his originally - when he said "to stand still is to decline". I think that is a compelling message to all governments and to all institutions and I would express to the institutions in the ACT, and most particularly to the Australian National University, that they should consider that.

Now, I do not imagine that any of those institutions are standing still but I do, from my experience in the last couple of months, suggest that they have a look and see how they are adapting to the rapidly changing circumstances in which they find themselves. I would also make the point that the ANU in particular needs to assess how rapidly it is changing. As I moved through that institution I found a very large degree of confidence, and perhaps properly so. It is a fine institution. But in some quarters that confidence seemed to me almost to be complacency.

I have to say that at the outset of this debate almost a year ago I was surprised at the extent of the opposition. I would have thought that in our academic institutions there would have been a ready acceptance of inquiry, a willingness to examine all issues, but that certainly was not the case in the early stages of the debate.

I have studied carefully every submission that the committee received and for those who opposed the amalgamation they have considered their opposition always in respect only of internal factors, factors related purely to their position in that institution and to that institution alone. Nowhere did anyone taking an opposing point of view take a wider view of things. I believe it is important to look at the national issues.

Governments certainly need to look to national interests. The \$3 billion a year expended on tertiary education is reason enough but simply the national interest must be of great importance without forgetting the importance of the institutions themselves. I recognise that the success of national aims depends certainly on the quality of the institutions themselves.

I prefer amalgamation as the way to go, not on grounds of size but on the grounds of diversity, on the range of offerings that those institutions can offer. They would provide more disciplines, more categories of awards, thus much greater flexibility for students. To me there is a simple logic in this. Why should the students not have the widest range of options? We found that there was not a great amount of duplication between the CCAE and the ANU. There has been too much good planning for that to happen. There is not a great amount of similarity but there is a good deal of compatibility and that should be exploited. There is no doubt that the merging of some courses would have very positive benefits to students in terms of

27 July 1989

planning. I do not subscribe totally to the argument that increased size brings about increased efficiencies but certainly it does bring about better planning. I believe there would be considerable strength in a new, diverse institution.

Perhaps the most compelling reason of all is that the guidelines for funding universities and research are changing. Things are different now. I know that the administrative bodies of the respective institutions recognise that. I think it is urgent that all staff recognise that as well.

I had to consider why there was opposition to the proposal. There were quite a number of undoubtedly legitimate concerns - for example, the distance between the two is an obvious one - but, in the end, I think it became clear that the opposition was based on two points. I will stand to be corrected but I believe this is a fair assessment. At the Australian National University there were clearly a significant number of academics who believed there was a disparity, an unacceptable disparity, between the university courses and their staff qualifications and that of the CCAE. I believe that was a factor. I do not accept that, but it was a factor.

The other point of opposition, perhaps less strong, came from some at the CCAE. I am not sure of the extent of it but there was a concern that the CCAE would be simply swallowed up by the more powerful ANU. It was those two concerns that led to the opposition. They were not the official positions of the governing bodies of the institutions but they were the positions adopted by the people who work in them. I do not accept those arguments. It was sufficient, however, to see that the legislation as proposed by Minister Dawkins was not going to get through the Senate.

Now there is a difference of emphasis between the institutions but let us say it is a greater diversity. There is already great diversity at the ANU. I do not think that anyone there would claim that there is a total compatibility of all courses and all academics. There is already a range, but they seem to be overly concerned about accepting greater diversity. As to the worries expressed by some at the CCAE about survival, if they could not survive, perhaps they would not deserve to.

Yesterday I spoke in this chamber and said that the benefits of the casino outweighed the adverse effects. Today I stand up and say that the benefits, the advantages, of the amalgamation greatly outweigh any negative aspects - greatly outweigh them. The arguments against amalgamation are not convincing. I did not accept them but I can accept reality. I accept that the intensity of the opposition is such that a merger cannot proceed at this stage. Hence, we must proceed in other ways, and they are yet to be determined.

27 July 1989

For me, amalgamation is still the aim. I believe that in due course the institutions will merge; inevitably, the benefits will be recognised; they will see the models in all the merged institutions around Australia and recognise that that is where their future lies. I do not know whether that is going to be three, five or ten years. I look now to discussions between this Government, bearing in mind the recommendations in this report, and Minister Dawkins. Let us look to the future of these institutions and secure the very best future for them that we can.

MR HUMPHRIES (11.55): I rise to commend the recommendations of the report to the Assembly. I think that this committee was a good example of the benefits in this Assembly of having open-minded inquiry through the agency of our committees. I would not be so naive as to pretend that all inquiries necessarily achieve the same level of open-minded inquiry that we would like but I think that this particular committee did.

I do not think either that I would entirely agree with or use the same words as Dr Kinloch when he described how each of the three of us approached our task at the outset. I think he said that none of us came with any preconceived conclusions. I think all of us had at least some politically motivated or preferred starting points, if I can put it that way, and I think the advantage of the way in which we conducted our inquiry was that we all, by the end of the inquiry, had moved somewhat in our positions. I know that is true of myself and I think it is also true of the other two members.

From my point of view, and I think I probably speak for Dr Kinloch as well, we started from the position that any compromising of the existing role of the Australian National University in particular would be unfortunate and to be resisted, and I think that Mr Wood probably started from the point of view that he had something of a brief to defend the position taken by his Federal colleague, the Minister for Education, even if that was only a rearguard action on the question.

It is now true that both Dr Kinloch and I, at least, accept that some compromise in the role of the ANU, in particular, must occur and, although Mr Wood has made it clear that he prefers amalgamation as his first choice, he accepts, I think graciously, that the second preference, which is our view of what should occur, is a good one and that is that there should be some gentler, more long-term and better negotiated collaboration, perhaps leading to amalgamation between the ANU and the CCAE. We have accepted already that the ANU and the Institute of the Arts should amalgamate immediately because they are contiguous, because their aims are compatible, and because both institutions in particular want the amalgamation to occur.

27 July 1989

Now, I have been helped to that position because I think all of us have a strong interest in and commitment to higher education in this Territory. Dr Kinloch's interest obviously was as a former academic at that institution; mine as a graduate at the ANU; and Mr Wood's as a teacher. I cannot speak for the others, but for me there are two principal reasons why in my view the two main institutions we are talking about, the ANU and the CCAE, should move to some closer form of union.

The first, I think, is the realities created by the Dawkins white paper on education. The important point about that paper is not so much what it says or does not say about education but rather that it does create, by force of the fact that it is now established as a feature of Australian tertiary education, a new environment for education in Australia.

The Minister believes, for better or worse, that bigger is better. He believes that economies of scale will flow naturally from tying institutions together, even though in my view there is much evidence to suggest that in fact some small institutions can be just as efficient as, or even more efficient than, larger universities and colleges.

He has set down the requirement that institutions, universities and colleges with fewer than 8,000 full-time equivalent students will suffer some financial penalties and that institutions with fewer than 2,000 such students will suffer severe financial penalties. I want to quote from remarks by Senator Baden Teague in the Senate. Senator Teague is the Opposition chairman of the education committee. He said about these plans for new numbers in higher education:

These "black-magic" numbers of 8,000 and 2,000 have no meaning and justification. They are entirely arbitrary and as far as I can see have no sound economic...foundation.

I think that that is true and I think that the important thing is that, before our committee, there really was not a very strong effort made on the part of many of the witnesses, or perhaps any witnesses, to justify the rationale for that, and in particular to justify the rationale in respect of Canberra. No work seems to have been done that I can see on the rationale for the white paper's application to Canberra's institutions.

But that of course, Mr Speaker, is not the point. The point is, as I said, that a new environment has been created for education in the whole of Australia and we cannot pretend that that environment does not exist. Of course it exists. We have to do our best as an institution responsible for the ACT to ensure that that new environment does not prejudice the ANU and the CCAE in particular because they have not been provided with the means to cope with that new environment.

27 July 1989

I hope that what we have produced, the compromise we have put forward, is one that the Minister, Mr Dawkins, is prepared to meet halfway. I think that the cooperative model could, if the Minister were open-minded about this, allow for the ANU and the CCAE to be counted towards the models envisaged by the unified national system. If that is the case we will have achieved, I believe, some benefit for the ANU in particular and also for the CCAE.

The second reason why I think we have to accept some closer union between the institutions is the obvious need, in particular in some fields of study, for cooperation. I am thinking particularly of the comments that were given to the committee by representatives of the science faculties of both those institutions.

It was very clear in those cases that there is a problem in the ACT. For example, two schools of geology in the ACT simply do not make sense. For both institutions to have engineering faculties just does not make sense. There has to be some rationalisation of the way those things occur. I was very much convinced by what the scientists said to us and I believe that when I heard that evidence I was of the view that we had to make some movement to accommodate them. As my friend Mr Wood says, to stand still is to decline.

It is also equally true that in other fields, and I am thinking particularly here of economics and commerce, it is quite conceivable that movement to amalgamate or come closer together could be actually deleterious to the studies of those areas. I am hoping that the model we have proposed will somehow get the best of both worlds; it will somehow allow those who do not feel that closer cooperation is wise in their field to preserve their distance - their isolation, if you like - and those who feel that it would be beneficial can go ahead.

I will sum up by saying, Mr Speaker, that reading back over the report I came to the conclusion that some might feel that this report was something of a cop-out. We do say that ultimately, as far as the crucial question of the ANU and the CCAE is concerned, the two bodies should get together and talk some more. That might seem to be a little bit of evading of the main question: "We do not say yes, we do not say no, but we say they should talk about it some more".

I think it is useful, however, because there have been under the unified national system far too many shotgun weddings. I mean, far too many people have said, "You have got to go ahead, the new realities are this and you had better like them or lump them".

And what I hope we have created for the ANU and the CCAE is a chance - to use the words of Dr Kinloch, which I think make a very good analogy - to engage in a courtship, to see whether they believe they can work together on a more

27 July 1989

permanent basis, and as a result of that dialogue, a free dialogue, a dialogue not mandated by the requirements of some Federal Minister, whether they might then get together to establish some better relationship, some better cooperation and collaboration.

Mr Speaker, I think the report is a good one, and I hope the Government will act on it promptly. I note this debate will not be wound up today. We will be concluding it, presumably, on the next day of sitting. I do hope that the Government does not let this thing lie on the table for a long period of time.

It will not budge the Senate. The Senate will remain opposed to amalgamation. I think that it therefore needs imaginative and early responses by this Government to ensure that those two institutions are not prejudiced by further delay. In particular, I strongly urge that the CCAE be reconstituted as a university at the earliest possible opportunity.

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

SUSPENSION OF STANDING AND TEMPORARY ORDERS

MR HUMPHRIES: Mr Speaker, I move:

That so much of the standing and temporary orders be suspended as would allow notice No. 2, private members business, to be called on forthwith.

Mr Whalan: We have no objection to that. Is that the one from yesterday?

Mrs Nolan: It is changing the date.

Mr Whalan: Changing the date from October to next year; is that right?

MR HUMPHRIES: That is right, yes.

MR SPEAKER: Are all members aware of what the motion is?

Members: No, Mr Speaker.

MR SPEAKER: Would you please explain yourself then, Mr Humphries.

MR HUMPHRIES: Mr Speaker, it is private members business, notice No. 2, the motion standing in my name. I have moved that so much of standing orders be suspended as would allow this to be called on forthwith.

Question resolved in the affirmative.

27 July 1989

PERSONAL EXPLANATION

DR KINLOCH: Mr Speaker, I have probably missed the moment now, but I would like to make a personal explanation.

MR SPEAKER: Please proceed, Dr Kinloch.

DR KINLOCH: Mr Speaker, my fellow members, friends and colleagues, it is so easy to be misunderstood in this life, is it not, and I assure members of the Assembly and anyone else listening that, when I quote what for me is a very powerful and vital source, I do not intend it to be directed at anyone. If anyone felt that it was personally so directed, I wish to say it was not so directed. These are 5,000, 4,000, 3,000, 2,000, 1,000-year-old principles I am talking about, and those principles were true then, they were true 2,000 years ago, they are true today. They were not directed at any individual.

CONSERVATION, HERITAGE AND ENVIRONMENT - STANDING COMMITTEE

MR HUMPHRIES (12.07): I move:

That paragraph (2) of the reference of matters, concerning waste management, to the Standing Committee on Conservation, Heritage and Environment be amended by omitting "31 October 1989" and substituting "the first sitting day of 1990".

The Assembly will recall that some weeks ago it referred to the Standing Committee on Conservation, Heritage and Environment two substantial inquiries. One of those was on an integrated environment policy for the ACT and the other was on the management of domestic and commercial waste.

The former of those two inquiries is due to report by the first sitting day of 1990 and, as previously resolved, the latter of those two inquiries was to report by 31 October this year. It has become clear to me - and this has been discussed with other members of the committee - that that earlier reporting date simply is not viable. I believe that the Assembly should view a later sitting date as being desirable.

It would allow both those inquiries to proceed together and to integrate the important features of both of those to ensure that we have an integrated view of the whole question that both those issues raise. It would also allow us to receive submissions from organisations that do not feel they could do a good job in the limited time available to us. I commend the motion to the Assembly.

Question resolved in the affirmative.

27 July 1989

DAYS OF MEETING

MR WHALAN (Deputy Chief Minister) (12.08): I move:

That the Assembly approve the following sitting pattern for the remainder of 1989:

July	27			
August	29,	30	and	31
September	26,	27	and	28
October	17,	18	and	19
October	24,	25	and	26
October/November	31,	1	and	2
November	14,	15	and	16
November	21,	22	and	23
December	5,	6	and	7
December	12, 13 and 14			

Mr Speaker, this motion proposes a sitting pattern for the balance of 1989. Contrary to some statements which were made yesterday, both within this chamber and then subsequently to the media, there has not been a pattern established. So to suggest that there has been a change in the pattern or that this proposes a change in the sitting pattern is quite wrong, because there never has been any proposed pattern adopted by the chamber.

This particular pattern is contained in a letter from the Chief Minister in response to correspondence with Mr Kaine and it sets out a pattern for the Assembly of ten weeks between July, including this week that we are currently sitting, and mid-December. The total number of sitting days included there is 33. The pattern was outlined in correspondence to Mr Kaine, with copies going to the Residents Rally party, the No Self Government Party and Mr Stevenson. In that correspondence the Chief Minister stated that the pattern took into account a number of factors, and those factors included the flow of government legislation and the need for the Government to honour its undertakings in relation to the community consultation process related to the budget statement which was presented to this house.

Now, in relation to the pattern, Mr Speaker, I would like to table, and I seek leave to have it incorporated in Hansard as part of my speech, this table of comparisons between the projected ACT Legislative Assembly sitting days for July to December and the sitting days of other State parliaments.

Leave granted.

Document incorporated at appendix 1.

MR WHALAN: I have sufficient copies for them to be distributed to members if that is convenient, Mr Speaker.

MR SPEAKER: Thank you.

27 July 1989

MR WHALAN: Now, Mr Speaker, I think it is important to bear in mind that in several comments made in the chamber yesterday it was suggested that the Government was seeking to deny the democratic process by putting forward this proposal of sitting days, that it was seeking to deny the opportunity for members of the Assembly to participate in the affairs of the Assembly, that there was some undemocratic or antidemocracy aspect of this particular proposal of the Government.

I would draw your attention, Mr Speaker, and that of members to the table which has been distributed. You will see the figures for the State parliaments of New South Wales, Victoria, Western Australia, Queensland, the Northern Territory and Tasmania. They cover their sitting patterns for the same half of the year - July to December. In the case of all those assemblies the sitting pattern has been averaged over the period 1984 to 1988. You will see that over that particular period the pattern proposed by the Government is 33 days, compared to a sitting pattern in the Northern Territory of 12.8 days. The next closest to the ACT, the Tasmanian Legislative Council, had an average of 27.2 sitting days. So, quite clearly, the pattern that we have proposed here is a pattern of sitting days which exceeds all the other State chambers, both lower houses and upper houses.

I might add that the pattern which we have proposed is three days shorter than the pattern which had been proposed by Mr Kaine in his correspondence to the Chief Minister. It is a generous pattern with plenty of opportunity for the members of the Assembly to participate fully in the democratic processes within this chamber.

Sometimes there is a certain suggestion or a certain embarrassment on the part of members that, because they are not sitting in this chamber, they will be perceived as not doing any work. I would challenge any people who hold that particular view, whether they be in this chamber or outside the chamber, to ask, for example, Dr Kinloch, who has just tabled his report on the tertiary institutions, or to ask Mr Humphries and the members of his committee, who just yesterday tabled their report on the casino.

Committee work places an enormous burden on members. It is an enormous and a very significant responsibility for members of the chamber and it takes up an enormous amount of time. From the reports which we have seen tabled from the committees so far, the quality of the work which is done there justifies the amount of time which is put into that committee work.

In order to allow the committees to meet commitments, I know that they have all had sittings at weekends and at nights to extend the amount of time that they require. At the moment we have references before all the committees and there are a further two references. We have got two select

27 July 1989

committees at the moment and we have a further two references to committees contained in today's business paper - one to the Planning, Development and Infrastructure Committee requesting it to examine the Kingston foreshores issue, and another one to that committee asking it to consider the capital works program. Both of these references to that particular committee alone are major references.

But there are other committees in operation. There is the Select Committee on Self-Government, which comprises five members of the Assembly, and the Select Committee on Tenancy of Commercial Premises. That comprises three members. We have, in private members business, a reference from Mrs Nolan which is a further reference to the planning committee on the question of front fences.

So when this amount of business is before the committees it is quite clear that this forthcoming period is going to be as busy as the period immediately past.

In addition to that, we have the Government's legislation program. The sitting program that we have is built around our anticipated program of legislation. It would have been good if we had had right from day one in the Assembly a pile of legislation for the consideration of this chamber; but that was not the case. Obviously, legislation has to be worked up. The drafting process is a lengthy one. As a result, in the very early days of this Government there were significant decisions made in relation to legislation that was to be brought before the chamber.

We have been able to introduce some, but the lead time for that legislation is such that there is now starting to emerge from the pipeline a whole range of items of legislation which will be introduced into the Assembly towards the end of August. Some of it will be introduced towards the end of August. Then progressively, throughout the rest of the year, with a view to that pattern of legislation being concentrated for the periods of November and December, we would expect to see that period being a period of quite heavy activity. So the October-November-December period will be one of quite heavy activity in relation to consideration of a significant number of items of legislation.

I might also add that, in the discussions which we have mentioned here, the Government has negotiated with parties who have an interest in the occupational health and safety legislation and the Government had considered the report, but we wish to, ourselves, pursue some further discussions in relation to that, and that legislation will be brought into the chamber in September. So, by agreement with the parties, that would be the sort of program. It is an item of legislation which will not be coming back until September.

27 July 1989

There is one further item that I would like to mention in relation to the need to have a different pattern of sitting. There is, for example, only one item of private members business which is on the business paper as a result of our activities yesterday and today. All other matters of private business have been dealt with and thus have been removed from the business paper, and that leaves only Mrs Nolan's motion in relation to the front fences referral to the planning committee. So I would submit, Mr Speaker, that we have a pattern here of sitting days which accommodates the Government's legislative program.

There was just one final point that I wanted to mention. We do have a very firm commitment to the consultation process in relation to the budget, and it is proposed that we would use all the time available during the month of August to pursue that consultation process. There will be formal consultation spread over several days with members of a budget consultative committee but then, in addition to that, specialist groups will be further consulting with individual Ministers in relation to specific parts of the budget.

So we will be extremely active, and already the diaries are pretty heavily loaded with appointments in relation to that consultation process during the month of August. Bearing in mind all those points, we would submit that the program that we have submitted is an adequate one for the balance of the year.

MR COLLAERY (12.22): I will make some general comments because my colleague Mr Jensen handles these details and, if I sounded confused the other day when I got into another joust with my colleague Mr Kaine, it was basically because I was speaking about the principle of sittings rather than the actual detail.

Mr Speaker, the Rally does not accept the comparison of projected ACT Assembly sittings for the simple reason - to use the Deputy Chief Minister's favourite word - that it is totally fallacious. This is something more than a State parliament. This has a municipal character to it, this Assembly. Most municipalities meet quite often, probably once a week at the least, like the Sydney and Melbourne councils and corporations.

So we do not believe that the comparison of projected Assembly sittings with those for the other parliaments is a prime guide for this Assembly. This Assembly has a local government interface and this Assembly has, in its early months, put great responsibility upon all members.

The other thing that makes us different from the other parliaments is that this Government is a minority government. Mr Speaker, I draw your attention to section 17 of the Australian Capital Territory (Self-Government) Act. There it says, in subsection 17(1)(b), that the Assembly shall meet within seven days after a written

27 July 1989

request for a meeting, signed by such number of members as is fixed by enactment, delivered to you, Mr Speaker.

The fact is we do not have an enactment yet. There is no way of recalling this Assembly if we have an emergency on our hands or if we have a very deep concern about an action of the minority Government taken out of sitting times. I assume, Mr Speaker, that that lack is not in the Bill that is to be presented today to deal with some aspects of the Assembly's processes.

The fact is that we should have, at an early date, I submit with respect to all of my colleagues, looked at that provision and realised that it was in the interests of the opposition parties to have the power to recall this Assembly. We have not done that. I suppose, tactically, you cannot blame the Government for not wanting to deliver its head up to us in a situation where we took great exception to an act or actions of the minority Government.

Mr Speaker, the Rally would like to go on record on this issue to state that we accept all of the comments made generally by Assembly members regarding the workload of the committee system but, nevertheless, the Assembly must be open at least once every few weeks, and particularly in these testing times when there are divisive issues in the community. The Rally above all respects numbers, and Mr Jensen has reached some concord on the issue. The Rally is not entirely satisfied and indeed my colleague Mr Moore and I are unhappy that we are again to truncate a school holiday and submit the Assembly staff, the many hundreds, perhaps thousands, of public servants, to have to remain on station because this Assembly is sitting.

The Assembly is sitting on 26, 27 and 28 September, on the Deputy Chief Minister's proposition. That is not really a satisfactory situation for those reasons. Nevertheless, the overriding concern is that the Territory be adequately and properly represented. The Rally concedes that point even though there is further strong individual sacrifice required of the Assembly members and all who support and service the Assembly.

Mr Speaker, the chart given to us of the number of days the legislative councils, assemblies and parliamentary bodies elsewhere in the country sit misses one very important thing. It is the regularity with which this Assembly sits that is most important, because at seven days' notice we could bring on a motion of no confidence and remove this Government were it to be so decided by those who would wish to move the motion. That is the guarantee we have. To have a full slab of no sitting periods during the Federal budget process is, of course, to not sit when matters of extreme concern are relevant. We are not sure of the date - at least I am not - when the Chief Minister proposes to bring down her September budget. That is not clear. Once again, were that budget to be totally unacceptable, that could be a ground for those proceedings I mentioned.

27 July 1989

We do point out to the Government that we will abide by the truncated sitting schedule given to us at the present time but we are willing, with some amendment, which I believe will be proposed shortly, to accept the schedule but not the reasons given by the Deputy Chief Minister.

MR KAINÉ (Leader of the Opposition) (12.28): I did not have a great deal of difficulty with the proposal put forward by the Government in response to my original proposal, and my approach was based on the fact that, as the Deputy Chief Minister says, the number of days' sitting in their proposal was pretty much the same as the one in the proposal that I put forward. I had suggested a fairly regular pattern of meetings, and that was on the basis that I thought the Government would be bringing forward a flow of legislation that we would need to deal with.

I understand that what the Government has done is to come back with a counterproposal which is more heavily loaded in meetings towards the end of the period, and that is based, as I understand it, on the fact that it is going to take them a while to get some of this legislation into the pipeline. If we meet regularly in the early days, we will probably meet with nothing much to do, and we will be making work and simply filling in time which, as the Deputy Chief Minister suggests, we can use better in committee meetings. But in general I had no particular complaint about the alternative sitting schedule put forward by the Government.

I accept the validity of what Mr Collaery says in terms of the Assembly being available to deal with emergencies and all that kind of thing. There is the difficulty that there is no legislation at the moment that allows us to reconvene. But I draw the members' attention to the fact that at an earlier adjournment of the Assembly there were words put into the adjournment that would allow the Speaker to reconvene the house on dates other than those specified or at times other than those specified, if the need arose. I suggest, Mr Speaker, that with an appropriate amendment we can change Mr Whalan's motion to provide for that again.

I have one other amendment that I wish to propose. That is that, instead of meeting in the week of 29, 30 and 31 August, we bring it forward to the preceding week - 22, 23 and 24 August. My reason for that, Mr Speaker, is that the Federal budget is being brought down on 15 August. I believe it is appropriate that this Assembly debate the effects of the Commonwealth budget on the ACT, and that should be done before our budget is brought down. I understand the Government intends to bring the budget down in that last week in September. If we have a week to consider the ramifications of the Commonwealth budget, then come back after having given due consideration to it and debate those ramifications on 22, 23 and 24 August while the matter is still fresh in our minds, the Government then has a month to take the consequences of that debate into account in bringing down its final budget in September.

27 July 1989

So I wish to formally move as an amendment to the dates presented by Mr Whalan's motion, to delete the dates 29, 30 and 31 August and insert in lieu the dates 22, 23 and 24 August.

The second amendment is the one that I referred to which would allow you, Mr Speaker, to convene the Assembly if it were necessary at some other time. I formally move:

- (a) After "1989" insert the following ", unless otherwise ordered".
- (b) Delete "August 29, 30 and 31", substitute "August 22, 23 and 24".

Debate interrupted.

Sitting suspended from 12.30 to 2.30 pm

MR SPEAKER: Members, I would like to acknowledge another historic occasion. We have our first group of school children here. They are our future. I welcome Mrs Margaret Davies and her class of year 6 from North Ainslie Primary School.

QUESTIONS WITHOUT NOTICE

Teacher Transfers

MR MOORE: I am pleased to be able to ask a question on education, under the circumstances. My question is directed to the Minister for Education, Mr Whalan. Is the Minister aware of an agreement reached last Saturday between the ACT Teachers Federation and the ACT Schools Authority providing for the forced transfer for two years of all secondary teachers who have been in their present position since 1976 in colleges? Is the Minister aware of the disruptive impact this may have on stability of staffing in some high schools and colleges where significant numbers of level 1 and level 2 teachers are to be compulsorily transferred at the beginning of 1990?

MR WHALAN: I am not aware of the alleged agreement that Mr Moore refers to, but I will take the question on notice and report back.

ACT Electricity and Water Authority

MR KAINE: I would like to address a question to the Chief Minister as the acting Minister for Housing and Urban Services. Minister, before the transition to self-government a couple of months ago, the Federal Labor Government was moving to fully commercialise the ACT Electricity and Water Authority. Is it the intention of

27 July 1989

the ACT Labor Government to continue to follow this path? If so, has any progress been made to this point? If no progress has been made, what is the target for fully commercialising the operations of that authority?

MS FOLLETT: I thank Mr Kaine for the question. It is a matter on which I believe I would need to take some expert advice and so I will undertake to get some further information for Mr Kaine. But I think, in general terms, it is correct to say that this Government is anxious to protect our public sector industries such as the electricity and water supply. We are fairly happy with the way it has been operating and will not be taking any steps to change its methods of operation in the short term. But, as I say, I would wish to take more detailed advice on the matter.

Freedom of Information

MR WOOD: I direct a question to the Chief Minister. Should the FOI processing fee and charges be remitted on the ground of public interest in respect of requests lodged by members?

MS FOLLETT: I thank Mr Wood for the question. It is a matter that has been raised in passing on a couple of occasions, by members of the Residents Rally party in particular, and so I think it is a matter that perhaps would benefit from some clearing of the air. Mr Speaker, I would like to advise that requests for access to documents which are generated by the ACT Government and the ACT government service will attract charges which have been established under the freedom of information legislation.

Now, there are provisions where charges can be remitted, either in whole or in part, if the applicant is able to substantiate a claim for remittance. It is the Government's policy that Assembly members, like any other members of the public and of the community, have the onus upon them to demonstrate a clear case for remittance of those charges. Even where such a case is substantiated, there is still an area of discretion for the decision maker in the case to refuse permission after taking into account all the circumstances of the case.

In establishing this policy, we did give consideration to the fact that Assembly members, of course, have several other avenues of information available to them - for example, question time such as this. The use of questions on notice is another area where they can obtain information. Documents are tabled in the house. Also, they can of course make use of the Assembly's committee system to obtain information.

Mr Speaker, it is my belief that the members of this Assembly should be subject to the law in the same way as

27 July 1989

are all other members of the community, and the law in regard to freedom of information is, of course, equally applicable to members of this Assembly as are any other laws - for example, the payment of parking fines or any other matters where the general public and the community are required to comply with that law. The freedom of information law is no different, and members of the Assembly will be required to comply with that.

Mr Moore: We will have to change our law.

MS FOLLETT: Indeed, as Mr Moore says, perhaps the law needs to be changed. That, I think, is a completely separate issue from the issue of whether members of this Assembly are subject to the law. There is no doubt that they are, and they have rather more opportunities than other members of the community have to obtain access to documents and to information; they are therefore in a privileged position; and to suggest that they should be exempt from the application of the freedom of information charges I think is quite wrong, Mr Speaker.

Compulsory Retirement

MR HUMPHRIES: My question is to the Chief Minister. Given the Government's stated commitment to ending discrimination, can the Chief Minister say what steps the Government will take to end discrimination on the basis of age? Will the Government, for example, move, as are the governments of New South Wales and Western Australia, to outlaw compulsory retirement?

MS FOLLETT: The question places me in some difficulty because it is not a matter on which the Government has a policy and it would be, I think, to pre-empt any consideration by the Government of that matter, but I am happy to advise that we do not have that matter under consideration. It is my belief - I give it as a personal opinion and, as I say, not as a policy of this Government - that with a youth unemployment rate in the ACT which exceeds the national average there is in fact very little case to be made for extending the working life of people who have already fulfilled a substantial career.

My preference would be to have a look at the problems of young people coming into the work force and to look at the kinds of industries that are required to employ those young people, to look at job opportunities for them and at ways of assisting them to find employment. That would be the area to which I would give priority, as I say, rather than to extending the working life of people who have enjoyed a substantial career.

Rail Passes for Senior Citizens

DR KINLOCH: My question is directed to the Chief Minister. There may be an element in this question which is somewhat out of date given the problem of trains. However, we understand that all New South Wales citizens over the age of 60 - and that is, of course, mere youth - are eligible to a travel concession pass which entitles them to half-price train travel not only in New South Wales but into and out of the ACT. Could the Chief Minister consider whether there could be a similar arrangement in place for ACT senior citizens from age 60 onwards to enjoy the same privilege?

MS FOLLETT: That is a matter that has been brought to my attention by some correspondence. I am aware, of course, that there is some differential treatment of people over that age in the ACT and in the surrounding district. In fact, the ACT older citizen does not enjoy all of the advantages that some of them do in other States, but there is a problem here of the ACT reciprocating for visitors from other States.

If we were to give rail passes for people over that age in the ACT, they would then do the vast majority of their travel outside of the ACT, needless to say if they were lucky enough to be able to catch a train out of the ACT in the foreseeable future, which seems to be a dwindling hope. There is, as I say, then the problem of a reciprocal arrangement for people from New South Wales, Victoria or wherever wanting to also use that travel concession within the ACT.

I think that is quite a large area that requires some consideration by our transport experts. They are giving it that kind of consideration at the moment and, as I announced in the budget statement the other day, the Government is considering the whole area of concessions in general with a view to coming up with some amendments in that area. So it is a matter that is under consideration but it is not one that can be resolved overnight.

Tuggeranong Community Council

MR STEFANIAK: Mr Speaker, my question is to the Deputy Chief Minister and I refer him to his comments in the Tuggeranong Valley View on 26 July. Briefly, the start of the article states:

Tuggeranong Community Council has been told to keep out of the ACT Government's police powers issue. Deputy Chief Minister Paul Whalan hit out at the council's decision to become involved in the police move-on powers debate. "I am disappointed that the Tuggeranong Community Council has sought to intervene in the debate".

27 July 1989

Has the Deputy Chief Minister made similar comments in relation to the Trades and Labour Council's intervention into the demonstrations that were held outside this Assembly on two occasions by that body, and also the BWIU and their contributions to the debate, which surely must be far less relevant than that of the Tuggeranong Community Council, which has a real problem with law and order in the Tuggeranong Valley.

A member: Good question.

MR WHALAN: That is a very good question and I am very grateful to Mr Stefaniak for providing me with the opportunity to respond. In relation to the Tuggeranong Community Council, my comments about the council were not spontaneous. They followed an approach that I had from two organisations that are affiliated with the Tuggeranong Community Council who were very offended by the stand taken by the council and by the chairman of the council in taking it upon himself to appear before the committee on the move-on powers.

A member: Would you like to put some names to those organisations, Mr Whalan?

MR WHALAN: I will come back to you. The situation is that they were embarrassed by the Tuggeranong Community Council being manipulated in this political way to come out in support of these draconian proposals. Particularly of concern was the fact that any decision that was made was made at a meeting of the Tuggeranong Community Council attended by only six persons and that among those six persons was a visiting policeman, who presumably had reported on this question of the move-on powers.

So it is a matter of concern that an organisation such as this, which purports to represent a range of community groups and bring together a range of community groups, does at such a minute meeting, without any notice that this matter is going to be on the agenda, discuss it and seek to make a conclusion on a party political matter of this sort. I would urge the council in future, when it seeks to - - -

Mr Kaine: To support the Labor Party view?

MR WHALAN: If they did that, then they would be a true community organisation.

MR STEFANIAK: I wish to ask a supplementary question, Mr Speaker. That seems to not accord with information I have, Deputy Chief Minister, so I would ask you firstly who those mysterious bodies were, and secondly whether you are aware of several unions affiliated with the Trades and Labour Council who support the move-on powers but who were not prepared to come out for fear of retribution by their parent body?

27 July 1989

MR WHALAN: This is a complete smokescreen, Mr Speaker. The trade union is, as always, totally united. The trade union movement, as we have seen on so many occasions on important social issues such as the employment issue and the jobs for Canberra, has been united in its opposition to the police move-on powers. This is a clear demonstration of their commitment to unity and their commitment to social justice.

Yarralumla Brickworks

MR COLLAERY: Mr Speaker, my question is directed to the Deputy Chief Minister. In view of the fact that a provisional liquidator has been appointed for the Hooker Corporation, will the Deputy Chief Minister inform the Assembly what the terms of any agreement between the Administration and the Hooker Corporation are or were in relation to the Yarralumla Brickworks; do those terms involve a letter to treat or a contractual form in any nature; and, if so, will the Minister make that documentation available in form for perusal by party leaders at least in this Assembly? Further, will the Deputy Chief Minister assure the people of the ACT that the appointment of a provisional liquidator will not see this project fall into other hands or be transferred for monetary consideration to another party as part of the cost recovery measures of the Hooker rescue?

MR WHALAN: Mr Speaker, I thank Mr Collaery for the question. It is a timely question. We know that this is a matter of some controversy, the proposed development of the brickworks site. At this stage, representatives of my department have already engaged in discussions with representatives of the Hooker organisation concerning the implications of the Hooker collapse, the effect of the Hooker collapse on Hooker's activities here in the ACT.

We expect there will be further discussions this afternoon and I do expect an early report on this particular matter. When I receive that report, it will be discussed with my ministerial colleagues and, at that point of time, we will make a joint decision as to what the next step of the Government will be and what public announcement we will make arising from that.

Cancer Screening

MR WOOD: I direct a question to the Minister here on my left - in this respect at least.

A member: Always.

MR WOOD: No, I would not concede that point. Is it true that the Community and Health Service cervical screening

27 July 1989

campaign does not use doctors during the testing of women participating in the project?

Mr Kaine: This will be a highly technical answer, I assume.

MR BERRY: Certainly the response will not be so technical that you will not be able to understand it, Mr Kaine, but, yes, it is true that I am on the left of Mr Wood and I am pleased to respond to the question that he has put to me. Before I go directly to it, Mr Speaker, I might just touch on the issue of cervical screening; the importance of early discovery in the fight against cancer, in particular as a matter which concerns women; and the importance of this program that the ACT Community and Health Service has embarked upon. The program is an 18 months pilot scheme and it is targeted at two groups: initially women over 40 years of age and later on, in 1990, women in the age group of 14 to 24 years. So it is a broad based screening program.

On the issue of doctors participating in it, I am advised that these comparatively simple examinations are conducted by specially trained nurses; all of the women seen in the program will be asked to nominate a doctor to whom the result will be sent; and doctors will then provide any necessary follow-up counselling or treatment.

Women's Employment

MS MAHER: I would like to address my question to the Minister responsible for employment. I am concerned by comments I heard this morning from the secretary of the Trades and Labour Council, Charles MacDonald, that the proposed cuts in the ACT budget will impact adversely on women because they affect the income of nurses, hospital cleaning staff, teachers and support staff. Can the Minister advise the Assembly whether this is true and what measures the Government will adopt to broaden and improve the position of women in the work force?

MR WHALAN: The fact is that the Government is committed to developing a comprehensive approach to improving the economic status of women in the ACT. Very shortly, in the next few weeks, a discussion paper with the title Realising the potential strategies for improving the economic status of women in the ACT will be released, outlining the proposed initiatives. One of the reasons why women are in a disadvantaged position in the labour market is that they are concentrated in a narrow range of jobs like teaching, sales and service, and community services.

The ACT women's employment strategy and the women's budget enterprise scheme announced in the budget both aim to broaden the training and employment options for women so that they will not be concentrated in a narrow range of

27 July 1989

occupations. The Government is very pleased to see that the TLC is taking the issue of women's employment seriously and hopes that it works with the Government to ensure that the award restructuring process benefits women as well as men. Improving women's economic status is not the sole responsibility of governments.

Police Resources

MR JENSEN: My question is directed to the Chief Minister as Minister responsible for police, I understand. Is the Chief Minister aware that police were called one night recently to a disturbance involving damage to residential properties in Wanniasa but were unable to respond for 30 minutes because they had to come from Civic? Is it correct that Tuggeranong, a community of some 60,000 people, has no permanent police presence at night after 11 o'clock? If so, can the Chief Minister assure the residents and this house that this situation will be rectified as soon as possible?

MS FOLLETT: I thank Mr Jensen for the question but I would like to correct him on a couple of points. I am not the Minister responsible for police, because in fact the ACT Government does not yet have responsibility for policing the ACT. That responsibility will come to the ACT Government in the middle of next year and - - -

Mr Collaery: They cannot wait.

MS FOLLETT: I am sorry, I do not understand the import of that interjection. Mr Speaker, let me refer to the Bible on this matter. I do not wish to make it a personal comment about anybody in this chamber, but I might just quote Proverbs, as has been done to me. The proverb I would quote is: "The more you talk, the more likely you are to sin. If you are wise, you will keep quiet".

But, Mr Speaker, on the question of policing in Tuggeranong I take Mr Jensen's point, that there is obviously some concern being expressed about the level of resourcing at present available in Tuggeranong. I have myself seen media reports of that but have not had any personal representations on the matter. I would suggest to Mr Jensen that, if he does have a matter that he wishes to take up, if he were to put that before me I would be happy to take it up with the Federal Minister responsible for the Australian Federal Police.

Street Lighting

MRS NOLAN: My question is also to the Chief Minister deputising for the Minister for Housing and Urban Services and it again relates to Tuggeranong. Also I would like to

27 July 1989

make reference to the fact that the community council is very concerned about this particular matter, as are residents in the valley. The concern is over the level of lighting in parts of the Tuggeranong Valley. One of the areas that comes to my attention is the surrounds and car park of the Erindale Centre. I would like to ask the Chief Minister: What assurance can the valley residents have of the Government's rectifying this problem?

MRS FOLLETT: I thank Mrs Nolan for the question. It is not a matter on which I have any detailed information at the moment so if I may, Mr Speaker, I will take it on notice and get back to Mrs Nolan with a detailed reply.

Rate Increases

MR DUBY: Mr Speaker, my question is also addressed to the Chief Minister and it is in connection with the recent rate increases. Given the Chief Minister's statement that under her first budget charges to individuals would not rise, what are her comments on the increase in rates on commercial properties? I know of one property at Dickson whose unimproved value increased from \$200,000 to \$700,000 and rates from \$3,000 to \$12,000 approximately. Does she not agree that these increases will be passed on to ACT consumers, and therefore the community at large will bear the cost of these massive increases?

MS FOLLETT: I thank Mr DUBY for the question. I think that I have to repeat that the valuation of ACT land that was recently carried out was done under legislation, as required. It was carried out by the Australian Valuation Office quite independently and, in fact, before this Government came into office. There was, as members will know, in general an increase of 12 per cent on residential properties in the ACT - a very, very modest level of increase - but on commercial properties in the ACT the level of increase was 52.2 per cent; that is, in relation to land that is occupied commercially in the ACT, that was the rise in the value of that land over the period that the revaluation was carried out.

That revaluation was carried out, as I understand it, purely on the ground of sales in the area in recent times. So it is not a matter over which you can exercise a great deal of control. It really is a market forces matter. The commercial property value has risen by 52.2 per cent.

It is quite a high rise over three years; I do admit that. In the budget statement that I released the other day I did indicate that the Government would be looking for an increase in rates to be paid by commercial ratepayers and that that increase would be in the order of 39.7 per cent. So we have kept the increase to below the total increase in the value of their land, and I think that that is probably about the best that the Government can offer in order to

27 July 1989

try to give some kind of equity between the residential and the commercial sector in the rates paid.

It is a fact of life that there are fluctuations like this every time there is a revaluation of property. It is, I believe, quite impossible to strike a rate that separates out rates for groups that are affected differentially. Indeed, there will be a number of residential ratepayers who will be paying rates higher than the CPI increase simply by virtue of the fact that the value on their land has risen and that they cannot be protected differentially against other ratepayers. By the same token there will be, of course, some residential ratepayers whose rates will actually have fallen. That is the explanation: In the commercial area it was simply a reflection of the increased value of the properties.

MR DUBY: I ask a supplementary question, Mr Speaker. Part of the answer referred to market forces. Do you not agree, therefore, that these commercial proprietors will have no choice but to pass those increases on to the consumers of the ACT?

MS FOLLETT: I believe, Mr Speaker, that it is a matter for the commercial businesses in question as to how they deal with an increase in their rates such as might be experienced. I myself do not accept that you could take it as read that they would pass on those increases to their consumers but I know that that is in many cases a traditional way that commercial enterprises deal with such rises.

School Gymnasium

MR KAINE: I would like to address a question to the Minister for Industry, Employment and Education, and it also is based on the draft budget statement. Under the proposed new capital works in the draft budget there was mentioned a new gymnasium at a cost of \$1.693m which is proposed for the Alfred Deakin High School and that is conditional upon receipt of funds from the disposal of surplus schools.

My question is: Has the Government done anything to achieve the disposal of surplus schools and have any offers been received for any of the four primary schools closed this year? If so, how much has been offered and what is it proposed that they be used for?

MR WHALAN: In relation to the gymnasium at Alfred Deakin High School, which is the high school resulting from the amalgamation of Deakin High School and Woden Valley High, it was interesting that in fact one of the staff actually, I think, or maybe a member of this Assembly, was saying that when he went to school at Deakin High School they were promising a gymnasium then. So I can assure you this is a

27 July 1989

firm commitment and there is the qualification that it will be subject to the realisation of some of the assets of the schools that are currently vacant.

Now, the process that will be followed in relation to those schools is that it will follow a policy plan to do alterations to deal with changed use of the schools. Obviously they cannot be left sitting there idle. In the budget you will notice that, in relation to Woden Valley High School, for example, it is going to be used to relocate the Woden TAFE College.

Others of the schools are going to be subject to change in lease purpose clause which will be subject to the normal process of consultation. The various policy proposals will be announced, publicised, and subjected to community consultation.

There will be, as part of that proposed use, provision for some community use. At the last count, I have received 48 or 49 applications from organisations seeking to use the schools which are currently vacant. It is appropriate that a carefully developed policy is worked out and that the basis on which those facilities are used, if at all, by community organisations, should be the result of a carefully developed policy. That policy has yet to be completed because it is contingent upon the public consultation process related to the land use question. We expect that to proceed and we expect a certain return on the capital assets that we have got there and we will apply it to the construction of the gymnasium at Deakin.

MR KAINE: I have a supplementary question, Mr Speaker. How does the Minister assess the odds against the Alfred Deakin High School getting its gymnasium in this fiscal year?

MR WHALAN: I would say at five to four on.

MS FOLLETT: Mr Speaker, I would ask that further questions be placed on the notice paper. I have some answers to questions which I will table. Mr Stefaniak asked me yesterday about a particular issue to do with dogs and a tenant in Rooth Place, Watson, and I have an answer to that, Mr Speaker, but could I add on that particular matter that, where members wish to raise the question of particular tenants, particular streets and so on, it might be more appropriate if they were to raise it by correspondence or in private with me first.

Teacher Transfers

MR WHALAN: Mr Speaker, I would just like to refer to a question that was asked by Mr Moore and it related to secondary colleges. I have received information in the course of question time and I am in a position to make a part, at least, response to that particular issue.

27 July 1989

I was not aware of discussions that were taking place and I am not informed as to when these discussions did, in fact, take place, but what I would like to emphasise is that there have been discussions between the official representatives of the teachers - that is, the ACT Teachers Federation - and the Schools Authority in relation to staffing in the secondary colleges. I understand that both of those parties have recognised the need for some mobility in teachers in the secondary colleges and that they have a common aim to ensure the development and the maximum performance of staff and to ensure that teachers from one sector are encouraged to get the opportunity to serve in another.

The Teachers Federation had a view, which was that there should be one-year exchanges between the colleges and the high schools. That is an official policy of the Teachers Federation; it has nothing to do with this Government's position. The Schools Authority had a more far-reaching proposal than that. At this stage there is an agreement with the teachers' representative organisation. I wish to emphasise that, because it was implied that this was something foisted upon teachers by the Government. It is something which has been negotiated between the teachers and the management authorities of the school system.

The agreement that has been reached, according to this information, is for two-year placement for officers with greater than 12 years' service in a particular school, and that includes all officers in that particular category, and they will have an option to remain in the transferred location if the staffing allows. Both the Teachers Federation and the Schools Authority expect that this policy will have benefits to individuals and to the system.

MR MOORE: May I ask a supplementary question on that, Mr Speaker?

MR SPEAKER: No, that is not possible.

ACT Building Contracts

MR WHALAN: I have a response to another question, Mr Speaker. I seek your indulgence to add a statement to an answer that I gave in questions without notice in this chamber on Wednesday, 5 July. Yesterday there was allusion made to this question, which relates to the national aquarium development near Scrivener Dam, and reference was made to it yesterday by Mr Collaery, so it is relevant in making a statement in response to a question from Mr Collaery on 4 July about my alleged dealings with Mr Geoff Da Deppo.

Mr Collaery: On a point of order, Mr Speaker; question time has been closed; we do not have the opportunity to ask

27 July 1989

questions any more; and the Deputy Chief Minister is continuing a sort of de facto question time by answering questions.

MR SPEAKER: This is within the standing orders, Mr Collaery. Please resume your seat.

MR WHALAN: I indicated at that time that Mr Da Deppo had leased by direct sale a block of land to construct a tourist facility below the Scrivener Dam. Normally Mr Collaery would be pursuing information. I am giving him information here - there are many pages which I am going to table. For the sake of completeness, I wish to advise the house that the Australian Valuation Office recommended an unimproved capital value of \$200,000 for the site, having regard to the requirement for the lessee to undertake significant off-site works to the approximate value of \$402,000. This would indicate a land value of approximately \$600,000.

In addition, compensation of \$59,400 was paid by the lessee for removal of trees. In this chamber on 5 July I made available the complete files on this matter - and I wish to re-emphasise that point - but not one member of the Assembly sought to have an examination. They were placed on the table in the course of the debate, and I have the transcript of the Hansard here if people want to clarify their memory. Not one member sought to take advantage of that offer. Accordingly, for the information of members, I table a complete synopsis of the files, together with a copy of relevant documentation which outlines the steps involved in this process.

Community Medical Practitioner

MR BERRY: I would like to respond to a question which was raised on 25 July by Mr Kaine, the Leader of the Opposition, and it was in relation to the appointment of a community medical practitioner at the Phillip Health Centre, about which Mr Kaine asked a number of questions. I respond as follows: The appointment in question was made by the ACT Community and Health Service in the ordinary course of recruitment within the service to replace an officer who had retired. The only degree of urgency related to the need to maintain existing levels of service delivery to patients.

The duties expected of the person appointed to this position are the same as those expected of all other personnel at this classification. The terms of contract agreed with the officer are in accordance with the relevant industrial award in relation to permanent appointment, remuneration, duties and all other conditions. The person appointed has a prime responsibility to patient care. In addition the community medical practitioner is expected to carry out tasks appropriate to family medicine, preventive medicine and primary care in the community.

27 July 1989

The particular professional appointed to the position in question has agreed, in addition to providing general practitioner services to patients within the region serviced by the Phillip Health Centre, to act as adviser to the cervical screening program which I mentioned in an early question which was raised by Mr Wood. This is totally in keeping with both the role of the physician and the objectives of the cervical screening program. I have got a copy of the response which I would like to table, and one for Mr Kaine.

PRESENTATION OF PAPER

MR WHALAN (Minister for Industry, Employment and Education): I wish to table the following paper:

Publications Control Act - Publications Control Regulations - Regulations 1989, No.12.

DAYS OF MEETING

Debate resumed, on motion by **Mr Whalan**:

That the Assembly approve the following sitting pattern for the remainder of 1989:

July	27			
August	29,	30	and	31
September	26,	27	and	28
October	17,	18	and	19
October	24,	25	and	26
October/November	31,		1 and	2
November	14,	15	and	16
November	21,	22	and	23
December	5,	6	and	7
December	12, 13 and 14			

upon which **Mr Kaine** has moved by way of amendment:

- (a) After "1989", insert ", unless otherwise ordered".
- (b) Delete "August 29, 30 and 31", substitute "August 22, 23 and 24".

MR KAINE (Leader of the Opposition) (3.11): Mr Speaker, I seek leave to amend my amendment (a) that was moved just prior to the luncheon break, in the terms that have been already circulated to members in the chamber, as follows:

by omitting "ordered", and substituting "requested in writing by an absolute majority of members".

27 July 1989

Leave granted.

Amendments, as amended, agreed to.

Motion, as amended, agreed to.

POSTPONEMENT OF NOTICES

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

That notices Nos 2 to 7, executive business, be postponed until a later hour this day.

BUDGET 1989-90 Ministerial Statement

Consideration resumed from 25 July, on motion by **Ms Follett**:

That the Assembly takes note of the following paper:

1989-90 Budget - Initial Statement - Ministerial statement, 25 July 1989, together with appendices.

Suspension of Standing and Temporary Orders

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

That so much of the standing and temporary orders be suspended as would allow Mr Kaine to speak for a period not exceeding 31 minutes.

MR KAINE (Leader of the Opposition) (3.13): I do not know that I can speak for exactly 31 minutes, but I will do my best. Mr Speaker, following the Chief Minister's quote from Proverbs a little while ago perhaps I should sit down now, otherwise I might be struck down by retribution at the end of the 31 minutes. I will press on anyway.

The Chief Minister and Treasurer presented her draft budget for 1989-90 to this Assembly on 25 July 1989. Following Labor's open and consultative government policy, community consultation has been invited over the two-month period of July and August - a worthy, if idealistic, objective.

A great deal needs to be said about the Chief Minister's draft budget, as expressed in her initial statement, in terms of both what is contained in it and what is omitted. My first reaction to the budget, Mr Speaker, was that it was a good exercise in maintaining the status quo in preserving the existing balance. It is a steady-as-she-goes budget.

27 July 1989

For a community that held some fears that self-government would result in soaring costs to the taxpayer and severe reductions in standards of delivery of government services, it must provide a warm, comfortable feeling. The problem with that, Mr Speaker, is that it is not a time for being steady as she goes. There are major issues that need to be addressed: Costs of public services must be reduced; the private sector must be fostered as an increasing source of job opportunities and an expanding revenue base; and the excess expenditure identified by the Grants Commission must be eliminated within two years from now.

So the situation called for a much more challenging budget, a more innovative budget, one that addresses the problems rather than avoids them. Such a budget could have been devised without causing serious concerns in the community.

On the general question of community consultation, Mr Speaker - and that is the reason why this release of the draft took place - I think it is fair to say that any persons or organisations wishing to participate in the consultative process are in for a frustrating time.

The first thing they will discover is that the Chief Minister's budget statement is not a stand-alone document. In fact, it is meaningless without the three-year forward estimates report. Even with the two documents, the picture is incomplete, and any member of the community seriously attempting to get a cohesive picture of the draft budget as the basis for constructive input will find it necessary to seek further amplification before the Government's intentions can be discovered.

For example, the budget statement does not include sufficient financial information to enable the reader to ascertain the total amount budgeted for expenditure by the Government in this budget year or how much the Government expects to collect by way of revenue. Reference to the companion document, the forward estimates report, will not provide the total figures either. It is necessary, firstly, to calculate the totals of expenditure and revenue in the recurrent element of the budget, using information which the initiated can find in the two documents, but some readers, of course, will be unable to do this exercise.

So the most basic pieces of budgetary information - total expected expenditures and total expected revenues - are not provided in these budgetary documents. It would be most difficult, if not impossible, for some people to comment on elements of the budget and their relationships without the ability to relate those elements to the budget total.

A second problem with the document arises from a lack of detail. A particularly serious case of omission is that the budget statement provides no information about the gross level of general rates expected to be collected this year. Indeed, the only reference to rates revenue is to

27 July 1989

the additional expected revenue from general rates this year, an additional amount of \$5.54m, presumably compared with general rates revenue last year, although the document does not say that. However, reference to the companion document will not help either, because the details under program 4, ACT financial management, have been consolidated, and the amount to be collected by way of general rates is simply not separately stated. So the reader can deduce nothing about the gross level of general rates to be collected this year. Since administration of the municipality of Canberra is a matter of considerable interest to some residents, the omission of such vital information is, in my view, of some considerable concern.

Another general problem is the lack of logic or rationale for particular budgetary initiatives. The budget is presented in program format. It would be reasonable to assume that the Government's priorities have been applied across the various programs and that levels of expenditure or revenues in each program are the result of conscious and deliberate government decision. Furthermore, it would be reasonable to assume that specific provisions for expenditure, for example, against particular items within a program are the result of deliberate decision, but there is no evidence that such an assumption can be sustained.

Let me take as an example the particular stated intention to provide 280 dwellings as an addition to the existing stock of public housing. It is not clear, for instance, where in the budget the necessary financial provision is made for the expenditures associated with these dwellings. Presumably it is included in the public housing program in the companion document, the forward estimates report, but, if so, it is not identified as such. You cannot find it there.

But more importantly, the rationale for adding 280 dwellings to the public housing stock is nowhere given. Indeed, the objective for the public housing program is stated simply to be "to enable the ACT community to obtain appropriate and affordable housing". No figures are given showing how many publicly owned housing units are required, how many have already been provided, how far the 280 units proposed for this year will go towards eliminating any existing shortfall, and so on. So I must raise the question: How can any community member or organisation, or even the Government for that matter, make a judgment about the need, adequacy and appropriateness of expenditures on this item under these circumstances of inadequate or, indeed, no information?

The same argument applies to other items - for example, the proposed additional 50 aged persons units, and no doubt to many other items in the budget as well. One must conclude, Mr Speaker, that the community consultation exercise will be virtually an impossibility from the community's viewpoint. Given the lack of information contained in these documents, one could even question whether the

27 July 1989

Government is serious in its stated desire for public participation. How committed is the Government to its statement that "it is important that every citizen knows that their views will be heard and account taken of their opinions"? So much for the general propositions in the Government's approach.

Let me turn now to some of the details of the draft budget statement. I look at the budget strategy and the question of honouring election promises. In particular, Mr Speaker, I note the Government's restatement of one of its election promises "that individual and household taxation will not rise". The community is entitled to question the Government's good intent, on the basis of this budget statement. I will allude to only three examples. First, in the recurrent budget summary in the budget statement there is an adjustment of an amount of \$10.4m resulting from effects of earlier decisions. Part of that \$10.4m is attributed elsewhere in the statement, at page 9, to "the adjustment to motor vehicle charges". This no doubt refers to the earlier, pre-budget decision to increase motor registration costs by 25 per cent and compulsory pre-registration testing by 13 per cent, contrary to the Government's election promise.

Secondly, in connection with my earlier comments about getting to the bottom of the rates collection mystery, the keen researcher, once having done so, will discover that many residential ratepayers will be paying increased rates in real dollars, despite the Government's election promise. Indeed, any residential ratepayer whose property valuation recently increased by more than about 12 per cent will find that, even after allowing for the normal increase arising from the 6.9 per cent CPI movement since last year, he or she has suffered a real rates increase. Many ratepayers will fall into this category.

The Government will try to obscure the issue, and has already done so by introducing the increased land valuation which of course is totally irrelevant. The determinants of rating levels are, firstly, the total amount of money determined as being necessary to maintain the city, and, secondly, the rate per dollar on the valuation to be levied. The valuation itself is irrelevant. It must be noted, Mr Speaker, that those ratepayers who experience significant rates increases because of changes in valuations will very often be those who cannot afford them. They will not be the owners, in the terms of the Chief Minister, of opulent houses.

They will often be those on fixed incomes, who have lived in their current houses for many years and whose valuations have risen because of the actions of others. They will be victims of the Government's deliberate decision to renege on a specified and specific election promise not to raise rates for individuals and households. I just quote a couple of examples, Mr Speaker: In Dickson the average valuation has gone up by 19.7 per cent, hardly opulent

27 July 1989

houses; in Ainslie it has gone up 25.4 per cent; in Lyneham 39.9 per cent; in Garran 23.8 per cent; and in Hall 75 per cent.

To say that nobody is going to suffer a rates increase, or to obscure it behind the valuation change, is dishonest. It becomes, Mr Speaker, a question of: When is an election promise not an election promise? Now you see it, now you do not. Just as an attempt was made to obscure the increase in motor registration costs by hiding behind the reduction in compulsory insurance, so the Government is seeking to hide its rates increase behind the smokescreen of revaluation of the land.

Thirdly, Mr Speaker, I draw members' attention to the caveat now placed by the Chief Minister on the Government's general promise that individual and household taxation would not rise. At page 21 of the budget statement the Chief Minister now states:

Fees and charges...have generally been maintained at current real levels. However the Government feels that, in some cases, the introduction of a user pays principle is more appropriate.

This is a clear and unequivocal statement by the Chief Minister that her election promises were worthless and that individuals and households can now expect increases in fees, charges, taxes and rates after electing Labor representatives to this Assembly on the basis that this would not occur.

To refer specifically, Mr Speaker, to the recurrent budget, it is worthy of note, and a point on which the Chief Minister is to be congratulated, that the Government has finally realised the true situation in which the ACT finds itself financially. In her statement, the Chief Minister now acknowledges that there was no surplus on last year's budget to help tide the Government over this financial year.

She also notes that the outcome was in fact substantially as estimated. This is a long way from the statement made not long ago that there was surplus money in the budget which the Labor Party could use to fund its election promises. It represents a significant quantum leap in appreciation of the true situation.

The Chief Minister also acknowledges the need to take positive action to deal with the overexpenditures by the Commonwealth in the ACT. Under the Commonwealth Government's original undertaking to the ACT community we have only this year and the next to eliminate this over-expenditure, although there was originally a further Commonwealth undertaking to negotiate for two additional years.

27 July 1989

The Prime Minister and Federal Treasurer have already abrogated that agreement by withholding \$22.7m of our money this year, and we can only assume that this performance will be repeated next year. I would have no expectation of seeing any continuing Commonwealth assistance beyond 1990-91.

Despite the brave face put on it by the Chief Minister, I see little prospect of securing any of the \$22.7m in this budget year either. But if, by chance, we should get any part of it, it perhaps should be committed to the capital vote to provide office accommodation for ACT public servants at less cost than is currently being incurred.

However, having acknowledged the situation, the Chief Minister's response falls short of what is necessary. Under the circumstances, adjustment of the order of only \$10.5m, as reflected in the draft budget for this year, can be seen as nothing but a token gesture which merely defers the hard decision until next year when the issue must be faced and when the order of magnitude of the necessary adjustment may be even greater than it is currently estimated to be.

The ACT's treatment in this matter by the Commonwealth is even more reprehensible when one notes that the Prime Minister and Treasurer have already bestowed a gift of \$48m on the recently elected Labor minority Government in Tasmania.

Turning to specific cost cutting proposals in education and health - operations identified by the Commonwealth Grants Commission as attracting expenditure significantly above standard - I am compelled to observe that the Government has not bitten the bullet. The reductions proposed are, in general terms, only nibbling around the edges of the problem.

The health delivery function is one in which major cost reductions could be achieved. We have the most expensive health system in Australia. Our administrative costs have been assessed as being close to 70 per cent above those experienced elsewhere, and the daily cost of maintaining a hospital bed is something like three times that experienced elsewhere in Australia. With a proposed budget of about \$230m, there is scope for positive action from government. What the Government proposes, however, is to fiddle with minor cost items such as shift overlap, staff scheduling for elective surgery and ambulance financing.

These operations, of course, should be looked at, but to stop there and not look at the larger picture represents a cop-out on the part of the Government and results in a perpetuation of the resultant high tax burden on the Canberra community. This is a particularly urgent matter when the absolute lack of public confidence in our health delivery system is taken into account. A more effective, efficient and less costly health delivery system is an urgent necessity.

27 July 1989

It is a major mistake on the Government's part, Mr Speaker, for it to omit any mention of measures to assist private home buyers, given the serious state in which home buyers and the housing industry find themselves. This perhaps is not unexpected from a government which has no policy on private home ownership. Nevertheless, some minor gestures, such as waiving stamp duty for first home buyers, would have been greatly appreciated by both potential home buyers and the industry. In today's world, I regard this, Mr Speaker, as a most important omission.

On the revenue side, the imposition of increased taxes and rates on the business sector seems to me to be counterproductive for two reasons, and Mr Duby raised this question at question time. Firstly, it represents a disincentive to the private sector, on which, like it or not, the Government must rely for growth both in jobs and in the revenue base. Secondly, all such imposts must inevitably be passed on to the consumer - the individual and the householder - in the final analysis. For the Chief Minister to suggest that businesses that are already in financial trouble are somehow going to accept these additional imposts and not pass them on to the customers is naive, to say the least.

Another initiative that the Government should take is to encourage people living in government houses who can afford to buy them to do so. The proceeds could then be used to acquire additional houses, if needed - and I have asked that question before - to house people genuinely in need of public housing; to undertake other new initiatives to enhance the private sector, thereby increasing tomorrow's job opportunities and revenue raising potential, and I do not mean, Mr Speaker, financing publicly funded women's enterprises; and, thirdly, to offset the effects of the impending withdrawal of Commonwealth spending in the ACT.

Reductions in cost to the taxpayer can also be achieved by identifying tasks to be contracted out to private contractors. One of these, Mr Speaker, is the provision of reticulation facilities for electricity, which could be done better and more efficiently by private enterprise than it is currently.

There are problems also arising from the omission of certain financial transactions from the budget. The most obvious is that details of the community development fund are simply not included in the budget. Thus, annual revenues approaching \$10m are not accounted for, and community groups relying on the CDF for their funding will perhaps be bewildered by this fact. Those organisations not yet favoured by being admitted to the list of CDF beneficiaries will be even more bemused. The absence of CDF funding from the budget presumably denies them the basis for any input by way of community consultation, since it is not part of the budgetary process.

27 July 1989

I note also that significant expenditure items, such as the Government's proposed \$2.8m on upgrading the Bruce Stadium, cannot be identified in the budget, and the Deputy Chief Minister was unable to tell me yesterday where this provision has been made. This, most likely, should be found in the capital budget to which I now turn, but one wonders how many other such items lie hidden or have been omitted from this budget.

To turn specifically to capital expenditure, on the face of it, the capital expenditure program appears reasonable. I note the Chief Minister's proposal that the program be referred to the Standing Committee on Planning, Development and Infrastructure. This is sensible, and the program in detail can be reviewed there. I know that Mr Collaery will share my interest in doing that examination.

The program will go some way to providing continuity of work for the private sector and, subject to review, appears to consist of work that needs to be done. I have already commented upon the need to justify some of the ongoing projects, such as public housing and aged persons units. I commend the Government for confronting the issue of the Melba flats. There is a need to deal with this planning blunder urgently, and what is proposed is directly in accord with Liberal Party policy. Obviously it is a good initiative.

As to budget flexibility, I raised earlier in my remarks the question of the feasibility of the community consultation process, given the lack of cohesive and comprehensive information in the draft budget documents. The practicability of achieving any real result from the consultative process must also be questioned.

In my view there is very little likelihood that the content of the draft budget can be changed during the next two months, even if public sentiment is in favour of significant change. It is recognised by those regularly engaged in the budgetary process, whether public servant or politician, that major changes in direction cannot be easily effected in the short term. Resolute decision and action by government are essential in achieving this, and the reasons are, I think, obvious.

Current programs and projects can rarely be stopped in mid-stride without disruption and waste of public resources. Staff cannot readily be switched quickly from current activities to some new policy initiative if for no other reason than that most areas of government activity require some degree of expertise and qualification which may not be entirely relevant to new and different functions.

I submit, Mr Speaker, that more commitment than is currently displayed by this Government is necessary to achieve rapid short-term change. Furthermore, as I have pointed out already, the Government itself is proposing only marginal changes in its budget. The budget paper does

27 July 1989

not materially change the forward estimates for 1989-90, which are themselves merely an extrapolation by the ACT Treasury of last year's figures.

Clearly, the application of political judgments and priorities has not materially changed them. I am certain that there would be other political initiatives that the Government would have wished to undertake but did not because the natural inertia of existing programs of work and subsequent budgets made it too difficult.

Perhaps it was not its wish to initiate real change. Whatever the reason, I do not see any likelihood of real change to the budget resulting from any input from the community. Again, one must question whether the Government is conducting this community consultation exercise purely as a publicity exercise and whether it has any serious intention of changing its budget in response to public demand.

Mr Speaker, in summary, this draft budget is a steady-as-she-goes budget when all the circumstances call for innovation, change and political courage. It is a draft budget which purports to be a base susceptible to change by community consultation processes when the Government itself has not initiated any change. The possibility of community initiated change is close to zero without a political will, which the Government has not demonstrated.

It is a budget that will fail the test of community consultation because it lacks the full details which the community will require to enable it to participate. It is a budget that reflects a series of broken electoral promises made to individual taxpayers and ratepayers. It is a budget that demonstrates the Government's lack of concern for some sections of the community, such as those living in their family homes on fixed incomes and those striving to buy their own homes - specifically, Mr Speaker, those in this community who are attempting to stand on their own feet.

In fairness to the Government, however, it is a budget that indicates that the Government is becoming aware of the financial reality of the ACT, even if it has not as yet confronted the real issues. These real issues will not go away. They will be there waiting next year and the year after, and must eventually be confronted. Their magnitude may well be greater than now. As time goes by, as the issues are avoided rather than confronted, the landing of the Government and the community is going to become progressively harder. That warm feeling that people have today will cool off, and the Government will receive no credit for deferring the hard decisions.

I have highlighted the problems and deficiencies in the draft budget paper as I see them, Mr Speaker, in the spirit of consultation, upon the Government's invitation. The point is that these documents are only draft

27 July 1989

documents - discussion papers, if you like - and the Government now has two months to produce a real budget, having regard for the community expressions of interest. I, Mr Speaker, look forward to debating that real budget in its final form in due course.

MR COLLAERY (3.36): Mr Speaker, the consultative process was sorely tempted last night when we heard a comment on television to the effect that the opposition parties had failed to comment on the budget. The fact was that the Chief Minister had enjoined us to join in the consultative process and, for that reason, and for no other reason I suggest, my colleague Mr Kaine and I held off on any sniping on the issue.

Mr Speaker, the Residents Rally is new to politics. It is a community based grouping. We went through the documentation made available to us. If Mr Kaine had difficulty, you can imagine the difficulty we had. The Rally fully endorses Mr Kaine's statement that a lot more information is required before we can understand a number of proposed decisions and allocations.

Mr Speaker, the Rally did take the opportunity during the Supply Bill debate some weeks ago to indicate what sort of appropriations it saw as suitable in a number of budget areas. So, on 27 June, the Rally mentioned, in particular, the need to look at the housing situation and the housing review circumstances. I note, whilst I am still speaking about the subject of consultation, that the Government has decided to go to its draft budget without bringing in the long-promised housing review and in the absence of the Minister responsible for it. I will come back to that, Mr Speaker.

But this steady-as-she-goes budget, this balancing budget, which tends obviously to suit both the temperament and the style of the Chief Minister really contains no correlative statement relating to the tight monetary policies of the Federal Government, which are having a strong impact in this Territory.

There is no statement in the budget in terms of this Government's views on the tight monetary policies of the Federal Treasurer. Also, Mr Speaker, there is a suggestion, even an admission, that this Chief Minister is willing to walk the plank and hand over the \$68m that we owe the Federal Government for serviced land, which we have taken on board since self-government and which we have the advantage of selling and taking the receipts from.

If the Federal Government could waive - I think my friend Mr Kaine said "give" - the \$48m debt of the Tasmanian Government only a few days ago, why on earth should we hand over that \$68m debt to the Federal Government when it still has hold of our \$20m-odd in the trust fund?

27 July 1989

I put to the Chief Minister that she not allow her Treasury officials to hand over that component of those funds equivalent to the trust moneys which have been denied to us, despite the promise of the Federal Government to keep us in comparative funding for three years. So the breach of that agreement can be matched because, as anyone in business knows - and my colleague Mr Humphries well understands - if you are still holding the vendor's funds and you have a problem with the purchase, you still have a grip on him.

We still have a grip on the Federal Government because we still have \$68m, on the calculations available to us from this budget paper, that we owe the Federal Government. So it is not to get its \$68m until it gives us our \$20m. Pressure could have been put in this budget statement on the Federal Treasurer to let him know that we will do some tit for tat on that.

Similarly, Mr Speaker, there is the asbestos liability for 1989-90 of \$12m. There are many arguments about whether we should bear any of that liability. I will not go on with that now, but in the preamble to the budget those two big sums are mentioned - \$68m and \$12m - neither of them with qualification or an expression of intent.

I think there would not be any secret about the things I say. The Federal Treasurer and the Finance Minister are well aware, I bet, that we have a grip on them over that \$68m, and similarly for the asbestos liability. I suggest to the Chief Minister that she simply subtract \$12m from what we owe the Federal Treasury. Why should we pay any of that asbestos liability? Why go to court against the Commonwealth? Why argue any further? The Chief Minister should simply announce that she is taking out \$12m now and the same amount every year if it is needed to pay for Commonwealth neglect.

Mr Speaker, the Chief Minister had indicators before her that suggested she could have gone ahead in her budget with some of the expressions and advice given to her by Michael Salvaris, for example, the Government consultant on social justice programs. Mr Salvaris gave us a learned report. In one sense he emphasised something above all, which was the extent to which ACT revenue can be derived from rates on the many Commonwealth properties in Canberra.

There is no statement, no challenge, issued in relation to the funds that should be coming into the recurrent budget from Commonwealth occupancy of territorial land, and I am not speaking of Triangle land or national sites. Again, Mr Speaker, some of us were present at a seminar on 1 March 1988 when Dr Terry Dwyer from the Economic Planning Advisory Council indicated to us that, among other things, a major theme of self-government, and for its Treasurer, would be to tap the Commonwealth liability on lands and other aspects of their use of this Territory.

27 July 1989

Mr Speaker, one thought comes to mind immediately to many of us who have to try to park in this city: How much is the Commonwealth paying us for occupying free parking spaces on Territory land all around the city? If we are to have flying squads of more than 60 strike teams of parking inspectors, how about letting them loose on the Commonwealth cars and let the Commonwealth feed the meters if we have to bear that cost? Mr Speaker, one can give a number of other examples of the failure of the Chief Minister in this budget to take stock of how much the Commonwealth should be starting to pay us for its use of our Territory.

There is another major factor missed in the preamble to the budget, and that is the non-recovery of infrastructure costs. This must be the only place where, when a drunk driver knocks down a lamppost, he does not have to pay for it. Any of us who have been in practice in New South Wales and other States know that the client also gets the bill from the council for the damage the car does to council property and main roads facilities where the malefactor can be identified. Mr Speaker, that is a long-running issue in this Territory, and I challenge the Chief Minister to ask her staff what they think about the fact that we are continuing to fail to recover a whole range of costs that should be recovered out of damage and losses to Territory assets.

I will make a further comment in relation to the preamble because my colleagues will deal with some other matters in detail, from the community point of view. Mr Speaker, the Government seems to believe that you have to borrow to be a government, to be grown up. So the Government intends again to borrow for capital works. If ACTEW, for example, has got a little nest egg of some considerable sums, millions and millions, and if it can be levied, as it was recently, for a sum in the millions category, then why cannot those capital assets held by that authority be released to service our other capital works and not kept by it as a nest egg? Why do we have to pay that \$6m to \$7m interest on borrowings?

The recurrent budget also indicates that we have gone to a draft and pilot budget situation without having Mrs Grassby's promised housing review. The review should contain a definitive statement as to what this Government intends to do, by way of refinancing, in the mortgage belt and also whether the Minister for Housing and Urban Services, amongst other things, will adopt a progressive equity purchase scheme propounded by the Rally and mentioned in our Supply Bill debate some weeks ago.

As my colleague Mr Kaine indicated, you have to go to the forward estimates to try to work out some of these things, but they are still not clear. The forward estimates seem to show that the amounts estimated to come in from the housing area generally are around \$17m on average per annum for the next three years, with a sum approaching \$2m to \$3m

27 July 1989

above that going out in expenditure. So there is a forward estimate there of a \$3m shortfall in 1990 or thereabouts.

Mr Speaker, it is not clear how these shortfalls are balanced out and whether the housing aspect of the budget cannot be more innovative and more rewarding in terms of the returns to the ACT exchequer. The Rally is concerned that this budget fails to reflect a number of community initiatives that could have been available to it. For example, Mr Speaker - - -

MR SPEAKER: Mr Collaery, your time has expired.

MR DUBY (3.46): Mr Speaker, I do not intend to comment at large upon the items which have been placed before us in this 1989 initial budget statement. I note the comments of Mr Kaine and Mr Collaery about the fact that this is an unusual process for a government to adopt, that of releasing budget figures prior to the bringing down of an official budget. It is hoped that the concept of consultation which the Government has espoused is to be adopted.

With that in mind, an analysis of these figures is extremely hard to do on short notice. As a result, as I said earlier, my party will be going through all items of expenditure and revenue, noting where the axe will fall and where the cow is going to get milked from.

Mr Moore: That is a bit of a mixed metaphor.

Mr Kaine: You mean which cow the milk is going to come from.

MR DUBY: As Mr Collaery likes to say, "We will walk the tightrope and bite the bullet". There is every possibility of that, too. We noticed when we looked through the proposed budget there were a number of items of concern, which makes us wonder just what is going on. I just mention some of these items off the top of my head. I am pleased to see motorcycle training is being brought in - as people know, it is a hobbyhorse of mine - but, at only \$30,000, that to me seems to be woefully insufficient for an important item like that.

When we go through some of the capital expenditure items one stands out like a sore thumb. It is a matter of something like \$7.3m, I believe, for a panel beating shop at TAFE. That seems to me to be an extraordinary amount of money to be putting into something like that. As I said, without knowing the facts, it is very easy to get up and criticise these items. What needs to be done is to look at the actual government program and to determine whether these expenditures are valid.

With that in mind, having looked, though generally, at the figures, particularly in relation to community service expenditure, we note there have been quite drastic cuts in

27 July 1989

the community health and education areas. Generally speaking, the level of expenditure, on these proposed figures, indicates that, when you take into account increases in relation to inflation, real spending on virtually every item in this budget has decreased. So, once again, it involves looking at the cost to the community of what these figures really represent. We shall be doing that. We fully intend to participate in the Government's invitation on consultation, and we look forward to the genuine budget debate, not the Clayton's one that is currently occurring.

MR MOORE (3.50): The Labor Party document For a fairer Canberra indicated that there would be some attempt to ensure that the Labor Party's policies and concepts would be able to influence what it is attempting to do in government. The budget proposal, this initial statement, is, of course, an attempt to try to implement those policies. What I see, on my reading of this initial statement, is a failure of the Labor Government to do just that.

What I see instead is a public service budget. That is not to deride the public service, because it has been doing this job, and doing it quite well, for some years. But what people had hoped for self-government was a situation in which the Government would put a direction on the budget. Mr Kaine has talked about this as a steady-as-she-goes budget, and that is another way of saying the same thing; it is a public service budget, and it is quite appropriate that the public service would put it out. But we had expected that there would be some influence from the Government - some major influence, a major shift in direction - to try to implement the sorts of policies that the Government espouses.

I do not see it in the areas about which I am to speak. But let me say that I commend the Government for coming out with the initial statement - I believe it was a courageous thing to do - and putting into action a consultation process. We have already had one discussion with the head of Treasury, and I presume we will have many more discussions with not only Treasury people but also, in my case, the public servants in the environments of education, health and so forth.

Considering that the Government has been courageous, we believe we have taken a responsible stand in not rushing to the media, picking a particular thing and screaming that this is what is going to happen, because it may well not happen. We believe that the Government is attempting to be genuine in this respect and that we will be able to have some influence on some of the areas, and I am going to address a few of those areas shortly.

But I have one further comment to make about the overall concept. The overall concept of this budget, as far as I am concerned, in the areas with which I deal is that it is

27 July 1989

an anti-women budget. It is clearly an anti-women budget. It has already been indicated by one of the questions at question time and the failure of the Government to answer that question satisfactorily.

Let me take education to start with. Two of the areas with which I deal are education and health, and in those particular areas the vast majority of workers are women. They are the areas that are going to suffer considerable slashing in terms of employment. It was the Minister for Industry, Employment and Education who said, I believe, on this morning's radio, that, as far as he was concerned, this budget was about employment. That may well be true for many, but it is certainly not true for women in the teaching profession and their assistants.

We are looking to up to perhaps 150 teaching positions being cut, on my reading, and those are particularly being cut from two major areas which are what I believe are our tall poppy syndrome areas - the preschools and the colleges. We have the best preschool system and the best college system, so let us cut them down! Let us make them the same as everywhere else! Let us not be proud! Let us not be leaders! Let us not take into account the fact that we have an incredible retention rate in our colleges and that we should be compensated for the people we keep off the dole!

They are the sorts of factors we should be considering, not how we can find ways of cutting that back or how we can find ways - and I drew attention to some of those ways at question time today - in which we can discourage people from enjoying what they have established as part of the best education system in Australia. That is my value judgment. I have looked at a number of other education systems in the world, and it is a significantly better system than many of those.

The non-teaching positions in particular, in the new proposed method of employing support staff, are just a method of cutting wages but making them do the same work. That is what will be required, of course. It will be demanded that they do the same work as somebody else who is getting more. The Government has proposed it with a shift in terms of hours. But it has always been understood that those members of the Public Service Association - and I am sure that association will draw attention to the particular aspect - are paid much less than their counterparts in other public service positions, and they will be expected to be paid less.

But let me move on to something a little more positive, such as the approach to remove the New South Wales HSC system from the TAFE colleges and to rationalise them in with the ACT education system. I congratulate the Government on that. I also congratulate it on a number of its other moves in education, to which I should draw attention later, but at the moment I think it is more important to deal with the matters of concern.

27 July 1989

In relation to the environment, pollution control improvements are part of the capital works on landfill sites - \$150,000. This is the improvement to landfill sites to stop leaching. That followed a series of questions that I asked at the beginning of the sittings of this Assembly and in relation to which I was assured that there was absolutely no problem. But now we need to spend \$150,000 on that "no problem". I accept that the Government has recognised that there was a problem and it is giving the public servants who look after that the wherewithal to be able to do their job appropriately. Environmental control measures are also getting quite a reasonable boost.

I am slightly bemused at a tree planting project of \$50,000. I wonder whether that is to employ one person to plant 20,000 trees or whether the nursery will be producing those trees and giving them to community groups to plant or some such method. I am also more bemused by the fact that we are prepared to spend \$50,000 on that when the Federal Government has just allocated \$560m out of which we did not get a single cent. Where is that \$560m going, and why does the ACT not have enough pull to be able to get any of that at all?

I draw attention to the task force on heritage and the \$100,000 dedicated to that. I wonder how all that money is going to be spent. I will be looking at that carefully.

With reference to health and community services - I am disappointed that the Minister has just left, but not to worry - I believe that in this case it is a very clear-cut situation in which the Minister has been snowed by his department. The Labor Party policy indicates a commitment to "a public health system which stresses primary health care and the prevention of sickness within the community, with enough resources to promote this emphasis". So where are the resources? They are not there. What we should see is a great change towards improving the community nursing program. We should be looking at nurse retraining. We ought not be removing the training of enrolled nurses, and we ought to be looking at nurses who are awaiting retraining. I understand there are no retraining programs available for nurses at the moment. What we should be looking at is forcing those nurses, as part of their retraining programs, to go through a community nurse training program so that we can shift the emphasis from our hospitals, where it is very expensive to keep people, towards community nursing. Once again, it is an anti-women budget as far as this goes.

It is heartening to see specific areas, such as domestic violence, mental health and child abuse, handled very well; I do not debate that, and I said I am drawing attention to areas that are of concern. With that in mind and realising the amount of time I have left, I will finally draw attention to the area of youth, to which nine liaison

27 July 1989

officers are to be appointed. I will be looking to see what are their qualifications, where they are coming from, the sort of pay and the sort of work that is intended for those officers.

MR JENSEN (4.00): I join with my colleagues in commending the Government for bringing forward this initial budget statement. However, like my colleagues and others in this chamber today, I find a number of aspects are of some concern, and we will be taking those up during this debate and also during the debate on the budget later.

Before I proceed I would like to make just a brief comment in relation to the amount of time that was allocated to Mr Collaery to speak on this matter. I notice that the Government had no problem providing an extended period of time for the so-called Leader of the Opposition, Mr Kaine. It is unfortunate that it did not allow the same amount of time for the leader of the Residents Rally, Mr Collaery. I draw the attention of the house to the fact that he is the leader of a party with exactly the same number of members as the Liberal Party. I think it is important that this fact be noted and recorded accordingly.

Under the heading "Expenditure Reductions", savings of \$180,000 are attributed to the projection that "more effective purchasing standards will be implemented through uniform procedures and better purchasing in a more competitive market". On the surface, this seems commendable enough, although I am tempted to ask why the ACT Administration was obliged to inherit procedures which were not uniform in the first place. That aside, and in a climate in which inflation and the Government's rating policy for commercial and business properties will inevitably force up the cost of services, as has already been indicated, I suspect that the Labor Party's faith in a more competitive market to produce savings will prove unfounded.

We can only hope that, if this proves to be the case, Canberra businesses do not find themselves having the screws applied by the ACT Administration to provide services at costs well below those needed for profitable operation. Local industries and suppliers could end up carrying the burden of the Government's on-paper savings.

An amount of \$420,000 to be spent on covering the operational costs of the tourism and hospitality facilities of the ACT Institute of TAFE is a welcome contribution to the development of what is an important local industry and a source of significant income. I do not think anyone would doubt that, and I think it is important that that area be encouraged. I also refer particularly to the small business element of the tourism industry, which I think is one of the critical areas that we need to encourage. I am sure that it will also be represented properly and effectively on the council that is about to be formed.

27 July 1989

Employers in the tourism industry will have better trained and more efficient staff available to them - that is what this proposal means - and should be expected to contribute to the facility's development. The Government, however, should continue to seek input from the private sector - initially, at least, from the tourist industry - in terms of both expertise and finances to help defray the costs currently being borne by the Government.

Similar concerns should be expressed about the \$1m to be spent on promotional activities directed at attracting more tourists to Canberra. Tourism is a highly competitive market and, at a time when the ACT Government has to compete with well organised and generously funded State tourist bureaus to sell its wares, a million dollars is quite a restrained figure to be contemplating for an advertising budget. But, again, local businesses and organisations stand to reap benefits from any influx of tourists, and the Government should be examining ways of seeking and coordinating contributions from the private sector for the full-scale promotion of Canberra.

I know the Government has some moves in that area, and I would seek to encourage it to ensure that all elements of the tourist industry participate in this promotion. They all have a vested interest in ensuring that the tourist industry and Canberra itself, which is what we are seeking to promote, are fully and effectively promoted out there in the marketplace.

New capital works scheduled for Banks, Condor and Gordon are to be welcomed as a significant contribution to the development of Canberra's southern area. I also welcome the spending planned for the Tuggeranong Valley roads and a new recycling centre for the valley. The Government has also set aside \$117,000 for emergency telephones on the Tuggeranong Parkway, an obviously necessary and sensible move and one which is long overdue. I know it has always been a concern of members, particularly the female members of the Rally who live in that area, that it was not serviced. We attempted, at various times, to see that matter redressed, and it is good to see this happening. It is long overdue.

Expenditure on other services to the Tuggeranong area suggests that the Government is finally coming to terms with what the people of the valley have always known - namely, that Tuggeranong is a part of Canberra and deserves the same treatment as other areas. So I would also welcome the funds dedicated to landscaping for Pine Island, Tuggeranong College and the town centre park, as well as the Tuggeranong lakeshore development and stage 2 of the town park.

I would like also to comment briefly on this matter. It is very important, I think, that these important social community facilities be developed, because not only does it provide them close to where the homes are but it also takes

27 July 1989

some of the pressure off the very critical Murrumbidgee River corridor. I think it is important that these recreational areas be properly developed.

It is unfortunate, however, that the Government has not seen fit to provide those sorts of basic facilities in some of the smaller parks in the Tuggeranong Valley, like the playground and the toilets at Richardson, about which residents of that area, who are not necessarily always the best off financially, have had some concern for some time. I think it is important and critical that that area in which they live should be given some attention, and I would seek to have the Government look at that as soon as possible.

Given the range of revenue measures covered in the budget, it would be unprofitable to attempt to consider the whole process in any depth, and I will concentrate on a few matters which need comment. I already heard the comments by Mr Kaine in relation to the Labor Party's election pledge. It pledged not to increase rates and taxes to individual citizens or households. As we can all see now, that pledge made no distinction between real terms and actual rates. Never was there a distinction. It was that there will be no increase in rates.

What we now find is that the term "real terms" is creeping into the Government's rhetoric. I think it is unfortunate, as my colleague Mr Kaine has already said, that the Government has not seen fit to honour that promise. The Government needs to accept that its revenue collection is based on some fudging around the margins of its declared policy, and I think the quicker the Chief Minister and the Government come to terms with that the better.

We welcome the increase to the threshold for payment of payroll tax from \$400,000 to \$432,000 and the Government's intention to index that threshold in future years. This measure will provide some relief for businesses burdened by all sorts of cost increases and may also help to allow for increases in employment, although these will obviously be marginal. I think it is also appropriate that this matter comes at a time when businesses are suffering, like all groups who are seeking to borrow money on the open market, because of the high interest rates.

We also welcome the planned introduction of legislation to make leases liable for stamp duty for increased land values resulting from lease purpose variations. This will act as a break, if a small one, on the rampant profit making potential inherent in lease purpose changes. The Rally, as I am sure this Assembly is aware, would prefer far more substantial checks on lease administration. But, since we are discussing revenue issues, I need only observe that the Government's recognition of the potential for lease purpose abuses is akin to its attitude to the sex industry - namely, once a problem has been recognised, raise revenue from it rather than confront the problem.

27 July 1989

I would also point out that the Labor Party's election policy statement promised that the 50 per cent betterment levy would be increased to 100 per cent in some circumstances, to ensure an adequate return to the community. By my recollection, during the campaign a figure of some \$4m was being bandied around by the Labor Party as it sought government to reflect what it believed could be gained from such measures. I think we in the community are entitled to wonder whether the Government has given up on betterment policy, and, if not, what has happened to the \$4m that we were all told was going to be raised.

The Government also intends imposing stamp duty on the sale of businesses at conveyancing rates, similar to what happens in the States. Since this is wholly consistent with the Rally's declared policy, we applaud the decision.

Finally, I note that there is a fee of \$20 for inquiries made concerning rates and land taxes during the course of lease transfer transactions. The Rally welcomes this, as it brings the ACT into line with other States, although we have to take into account the fact that this may have some effect on young home buyers.

I would like to briefly continue with a couple of points that Mr Collaery was unable to raise because of the time factor. I am sure that I will not raise them in as eloquent a manner as he would, but I will do my very best. We note on page 33 of the budget statement details in relation to increased private sector development of land. We should be careful - - -

MR TEMPORARY DEPUTY SPEAKER (Mr Wood): The member's time has expired.

Question resolved in the affirmative.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE - STANDING COMMITTEE

MS FOLLETT (Chief Minister) (4.11): I move:

That the following matters be referred to the Standing Committee on Planning, Development and Infrastructure -

- (1) review the potential development options for the Kingston foreshore area with special attention to:
 - (a) the opportunity of creating a distinctive tourist focal point based on the historic Kingston Power House and the adjacent foreshore area;
 - (b) the opportunity for water related activities on the foreshore and the possibility of

27 July 1989

associated residential accommodation and commercial activities; and

- (c) the possibility of using the site for a major national or international event;
- (2) identify the environmental issues both for natural systems and surrounding urban activities which will require resolution;
- (3) consider the implications for relocation/integration of existing private and government facilities; and
- (4) recommend:
 - (a) principles for the redevelopment of the area including land uses, staging, funding, method of release; and
 - (b) any studies or assessments which need to be carried out prior to implementation.

Members will know that the Kingston lakeshore area is rather large and it is generally taken to include all of the land contained in sections 6, 7, 8, 30, 31, 32 and 33, Kingston, and it is bounded by Bowen Park, Wentworth Avenue, Cunningham Street, Sandalwood Street, Jerrabomberra Creek and Lake Burley Griffin.

The area at present is developed for quite a range of utility uses, including the ACTION bus depot and workshops; ACT Electricity and Water depot, substation, switching station and cables; the Australian Government Publishing Service; Telecom and Australia Post depots; the mortuary; Canberra Cruises; the Lake Ecology Laboratory and lake maintenance depot - the latter all located on the boat harbour. The area includes also the original powerhouse buildings and a vacant old sawmill site.

The Kingston lakeshore area is obviously a prime parcel of land, and its attributes make it a potential development site of major significance. Some of the attributes, of which I am sure members are aware, of this site include its proximity to Canberra airport, thus its proximity to tourists and interstate traffic; its proximity to Parliament House, the Parliamentary Triangle and the significant national buildings contained in the Triangle; its siting with a significant frontage to the lake; its proximity to the Jerrabomberra wetlands which are to be developed and promoted as a conservation and nature study area; and its location on Wentworth Avenue which is a major entry route to Canberra. It is also in close proximity to the prime employment areas of the Parliamentary Triangle, Barton, Civic and Fyshwick; and it has good public transport services in the region and a generally high standard of accessibility. The area is also very close to the Canberra railway station and freight centre and will possibly be closely aligned in the future to the terminal for the Melbourne-Sydney very fast train.

27 July 1989

There are some significant historical elements on the site, namely the powerhouse and the associated buildings. The current land use planning policies for the area reflect its existing uses for public utilities and transportation facilities. Under current town planning procedures any changes of use would involve variations to existing policies and would be subject to public consultation.

A large part of the area - namely, blocks 4 and 16 of section 8, the Government Publishing Service offices and the old sawmill site - has been gazetted as national land. The National Capital Planning Authority would, of course, be expected to have an interest in the development of this site or, indeed, any development on the lake foreshores.

I wish to refer this matter to the Assembly Standing Committee on Planning, Development and Infrastructure because I am aware of the high level of interest that this site attracts, and I am aware that there have from time to time been various proposals to develop the area. I believe it is appropriate that the Assembly members draw together a view on the possible use of the site. I think that the Assembly committee should consult widely in its investigations into that matter.

I am aware also that Mr Jensen wishes to move an amendment to the motion, which would ask the Government to do the preliminary investigation and assessment and make a recommendation on the use of the site so that the Assembly committee could then comment in the light of the Government's work on the area. I am relaxed about that proposed amendment by Mr Jensen, but I think members should be aware that, in adopting that amendment, they will be postponing for some considerable time the work of the standing committee in looking at the Kingston foreshore area because I am afraid it is a fact that the Kingston foreshore is one of a number of important policy areas which we are calling upon our bureaucrats to address as a matter of urgency and that I have given priority in my area to the drafting of appropriate planning, environment and heritage legislation, and I intend to adhere to that priority.

So any work that would be done by the Government on the question of the Kingston foreshore site could be quite some little time away, but if it is the intention of Mr Jensen, in moving his amendment, that the committee consider the Kingston foreshore area in the light of the Government's recommendations, I take it that he accepts that there will be that delay.

MR JENSEN (4.16): I will not speak for too long on this matter. The Residents Rally supports the concept for which this motion provides. However, the reason that the amendment which I intend to move and which I hope will be circulated in my name shortly was suggested was to ensure that the Government does not fall into the habit of referring matters to standing committees before it has done some of its own homework in relation to this matter.

27 July 1989

I think it is important that before these sorts of issues are put towards a committee the committee should have some indication as to what the Government's position is on a particular proposal like this. I think it is very important that this particular matter be referred. While I take the point that the Chief Minister has made in relation to the timing of this matter, it is unfortunate, when you think about what I was saying yesterday in relation to the casino matter, that there are a number of other areas, a number of other locations, that probably could have been given some consideration.

Now, I know that there was some work done in relation to this particular site, and it was one of the alternatives that was put towards the committee in relation to the development of a casino, but what I am saying is that this particular site has incredible potential, if you like, for the development of employment in the tourist industry in the ACT. It also provides a considerable degree of opportunity for the construction industry.

This particular project has been around now for some time. Certainly the development of the area and some proposals for the development of the area have been around for some time and have got considerable support from no less than the Prime Minister's wife, Mrs Hawke, and also Professor Manning Clark in relation to the sorts of concepts that have been put forward for the use of this site. It is an unfortunate matter, in fact, that this particular issue has continually been deferred by the Government when, as I suggested yesterday, it was too busy concentrating on the pot at the end of the casino rainbow and it is unfortunate - - -

Ms Follett: Now, Norman.

MR JENSEN: The pot at the end of the casino rainbow. Do you have a problem with that, Chief Minister? I would suggest that that is really what it is about. It is unfortunate that - - -

Ms Follett: A pot at the end of the rainbow? We have another one at Kingston.

MR JENSEN: A pot of gold is at the end of the rainbow. I think the Chief Minister knows what I am talking about. It is unfortunate, Mr Speaker, that the Government with its tunnel vision has continued to follow just one line and has not been prepared to look around in other areas and seek to do the same sorts of things that the casino project sought to do.

It is also incredible that the Government has seen fit not to look at other opportunities like this where it may be able to get appropriate premiums that will provide for the development of the cultural facilities in the centre of the city that we all know are very important and critical to this particular city.

27 July 1989

It is one of the major problems that I suggested during the casino debate about the bankruptcy, if you like, of the Government's area. It was only, once again, looking at one particular area. So, on this basis, Mr Speaker, I think it is appropriate that I note also that there is a motion. Is there a motion to come forward, an amendment?

Ms Follett: It has been circulated, Norm, and we have all agreed to it.

MR JENSEN: I understood that there were some changes to the amendment.

Mr Kaine: You are moving it, are you not?

MR JENSEN: Yes, that is what I was just about to do, Mr Kaine. I was just waiting for the piece of paper which did not appear on my desk. There it is. Mr Speaker, I move the following amendment:

Omit "matters be referred to the Standing Committee on Planning, Development and Infrastructure", substitute "action be taken by the Standing Committee on Planning, Development and Infrastructure after an assessment of current proposals for the Kingston Foreshore area has been completed by the Government".

Mr Speaker, I do not think there is any further need for me to talk. I understand that my colleague Mr Collaery wants to speak to the motion and the amendment.

MR Kaine (Leader of the Opposition) (4.20): Mr Speaker, I strongly support attention being focused on this proposed development on the Kingston foreshores. As has been said many times by others, we need a continuing flow of construction projects to ensure that the city continues to grow and to prosper and that we do not begin to stagnate. This one seems to me to be, as far as I am aware of what is supposed to be happening down there, a very good project that we should be looking at, perhaps to follow section 19 when that project is finished in two and a half years' time. So I do strongly support the fact that this project should be examined in some detail.

I did have some difficulty with the Chief Minister's proposal because I think that the terms of reference were such that they were way beyond the capability of the committees of this Assembly to deal with. The Chief Minister has referred to the fact that by accepting Mr Jensen's amendment it will be some time before the committee sees the proposal. Well, I would submit that, if the matter were simply referred to the committee to undertake, it would be even longer before something positive came out. It is a very major project and has enormous ramifications, and to expect a committee clerk of this Assembly to undertake all of the work that is necessary to examine all of the matters that the Chief

27 July 1989

Minister is suggesting is, in my view, an unreasonable imposition on the secretarial resources of this Assembly.

I understand that in your discussions - and this is hearsay - with the Chief Minister about the budget for the Assembly, one of the things that has been suggested that should be constrained is the provision of secretarial staff for the committees. Now, you cannot have it both ways. You are either going to staff the committees to carry out this kind of work or you are not. And even if you are, with all of the other references that these committees already have on their plate and which are going to multiply anyway, it is simply a task beyond the capability, in my view, of a single committee clerk to undertake.

And I submit, Mr Speaker, as I have said before in connection with a previous reference by a Minister to a committee of this house, it really is the responsibility of the Government to undertake these inquiries and then submit the results of those investigations and inquiries for review.

I notice that the very first word in the Chief Minister's original reference was that the committee should "review" some aspects of this project - "review the potential development options". Well, "review" means that you have got something there already that you are going to look at, not that you are going to go out and identify them first. So I think that the terms of reference themselves almost imply that somebody else was going to be doing some work that would then be put to this committee for review. Whether that was the intention or not, I firmly believe that that is the proper course to adopt.

Now, the result of Mr Jensen's amendment is that the Government will be required to have a look at it, to look at what the Government's policy is in terms of identifying further areas for development; identify what kinds of things the Government would like to see in such a development; identify the place in the Government's construction program if any of it is going to be undertaken by government or, if not, then set up the management arrangements, if this is going to be a private enterprise development, that the Government would want to see to oversight a project of this order of magnitude.

Once the Government has done those things, then it is appropriate for the standing committee to have a look at what the Government has come up with and see whether this Assembly could support what the Government is proposing. I think that is the right way to go, and so I support Mr Jensen's amendment that will allow the business of government to be done by Government and the business of this Assembly to be done by this Assembly.

MR COLLAERY (4.25): Just shortly, and not seeking to commit myself to a view either way, as chairman of the committee to which this is being referred, I do say that I

27 July 1989

welcome, as my colleague Mr Kaine has indicated, the reference to the committee. Mr Speaker, the situation is that the committee structure is such that homework needs to be done, information needs to be supplied by the Administration and the suggested amendment, I suggest, Mr Speaker, fits the circumstance exactly. We will expect, of course, and perhaps it is timely for me to say that in the context of a minority government, our senior civil service advisers to know that when we do look at the record one day, if and when we do, we will have expected them to have attended to these issues with objectivity and no partisanship. If the concerns of my colleague Mr Jensen are in any way accurate, there is a possibility that there has not been a fully objective look at Kingston - the Kingston foreshores area - in terms of its potential for providing the site for the casino.

Mr Speaker, I do not take a point on the casino, save to say that, without prejudice to the Rally's view on the casino, if by force there is to be a casino, then those of us who have lived in Europe and in other places well know that a site such as Kingston, on the water, that provides for canal development and other such matters, could well have provided a very harmonious, peaceful, elegant and attractive place for a centre of classy - as the Deputy Chief Minister referred to it - refined entertainment, be it a casino or something else.

Mr Speaker, regrettably, there has been an inexplicable headlong rush to get into section 19, and one day we will get to the bottom of that. I am certain that one day, if the proper standards of objectivity and assessment have not been applied, people will be called to answer. I do put that on the record and trust that the senior civil servants in this area take note of my comments.

Let me make one final remark, Mr Speaker. Galileo was taken, years ago, for being a nut, and there are many men of vision who are taken to be crazy. Indeed, I often hear the Deputy Chief Minister whisper about me words that come close to that or worse. Mr Speaker, I am not Galileo. I think the earth is round. But I do say that the gentleman who has seen us all in recent times, and in my case over the last couple of years, and whom we have seen at various meetings and groups, Mr Ian Hirst, is probably someone of vision. He is taken differently by various people in the community, but whatever it is, he has pushed for the development of the Kingston Powerhouse site. Really, this reference may well decrease the number of unannounced visits that Mr Hirst tends to give some of the members in the Assembly. So perhaps the Chief Minister was on about some sort of defensiveness about her waiting room and my waiting room and no doubt Mr Kaine's waiting room.

The fact is that I would like publicly to record now at this early stage that that gentleman appears to have been one of the prime movers, along with those other illustrious persons that Mr Jensen mentioned, for this project. And I

27 July 1989

have no doubt at all that that marvellous, superb site will one day be a great feature of our national capital.

MR MOORE (4.29): I think that there is a little more to this motion than just the actual motion itself, and that is about a planning driven system in Canberra as opposed to a development driven system. Now, I emphasise again that I am not opposed to development, but I think development must be appropriate - - -

Mr Berry: As long as it is somewhere else.

MR MOORE: It must be driven by planning and within planning. Let me at this stage make a few very short comments.

I am glad you said that because you often suggest that some of the developments that go on I have opposed, and let me point out to you that the Ainslie Olims Hotel was developed in - - -

Debate interrupted.

ADJOURNMENT

MR SPEAKER: Order! It being 4.30 pm, I propose the question:

That the Assembly do now adjourn.

Ms Follett: Mr Speaker, I require the question be put forthwith without debate.

Question resolved in the negative.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE - STANDING COMMITTEE

Debate resumed.

MR MOORE: I am glad Mr Berry drew attention to that, because let me say that the Olims Hotel, which has been built and developed right in the middle of my own bailiwick, received no opposition whatsoever from the Reid Residents Association, the Braddon Residents Association or the City Residents Coalition. Of course we were well aware that it was being developed. So let me just point out that when development is done properly - and I think most of you will agree that it was done in character and suits very much the particular area - you will find me well behind it.

Let me draw particular attention to this particular site we are talking about as being on the lake. Whatever development does take place there must be done in terms of

27 July 1989

the lake, and we must be very much aware that it is probably the first major development that we are talking about going on the lake foreshores. I think that is a particularly critical thing for the people of Canberra because to us Lake Burley Griffin is central to the way Canberra works and the feeling of Canberra.

I am very pleased to see the methodology being followed here, and I need just echo the comments of Mr Kaine rather than speak on that longer. But let me also emphasise, since I am sometimes pictured as anti-development, that I think that perhaps we should take the same approach to the Barton area. The Barton area, as far as I am concerned at this stage, is very underdeveloped. It has great potential for development, it is an area that we need to look at closely, and an area particularly appropriate for the development of government office blocks. Let me have that now on the record.

So I say to those of you who say I am anti-development or trying to protect things, yes, we will protect things and we will get the development right. I still say that that area, along with Tuggeranong and other areas, is one of the areas that has potential for great development. I would think that an approach like this, with reference to the Barton area, will be quite appropriate.

Amendment agreed to.

Motion, as amended, agreed to.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE - STANDING COMMITTEE

MS FOLLETT (Chief Minister) (4.33): I move:

That -

- (1) noting that the Theodore Primary School and Pre-School, Greenway Fire Station, New Automotive Painting and Panelbeating Workshops at Fyshwick, stage 1 of the Works Depot at Fyshwick, and the upgrading of fire penetrations at Royal Canberra Hospital are time critical projects for which the Government has approved construction, the Standing Committee on Planning, Development and Infrastructure consider the New Capital Works Program described in Appendix E to the 1989-90 Budget - Initial Statement; and
- (2) the committee report by 31 August 1989.

Mr Speaker, the terms of reference of this committee allow it to inquire into and report on public works proposals which are referred to it by the Assembly. Consistent with the Government's commitment to open government, we are proposing that the program of new capital works be referred to the committee for consideration. I was pleased to note

27 July 1989

that several of the speakers in the debate this afternoon on the budget indicated their agreement to that course of action.

The proposed new capital works in the budget statement are very extensive, Mr Speaker. They range from some relatively small proposals, such as putting emergency telephones on the Tuggeranong Parkway, to some quite major proposals, like the new nurse education building at Bruce and some very big items concerning street lighting, new buildings, new gymnasiums, and so on, a very great range of items. But I would like to draw the attention of members to the fact that there are included in the program the following projects that do need to proceed before the committee will have time to report.

Those projects are, firstly, the Theodore Primary School and Preschool. The opening of this school is planned for the beginning of the 1991 school year. The second is the new automotive painting and panel beating workshops at Fyshwick, a TAFE project. The opening of the workshops is planned for the beginning of the 1991 academic year also. The third is the Fyshwick works depot, stage 1. The establishment of the ACT Government required the split up of the existing Fyshwick works depot between the Australian Construction Services and our transport and works division. They are currently joint occupants of the site. The ACS has requested that transport and works be clear of the ACS area by June 1990. The fourth is the Royal Canberra Hospital and the upgrading of fire penetrations. The existing firewalls have many service ducts and pipes that pass through them. The fire brigade has advised that the packing material around these is below current fire rating standard and should be replaced as a matter of urgency. As fire protection will be part of the accreditation inspection in December 1989, it is necessary that an early start be made on the work if the hospital is to maintain its present rating. Finally, there is the Greenway fire station. Development of the Tuggeranong town centre dictates that a new fire station is required at the earliest possible time.

Mr Speaker, to delay proceeding with these projects until the committee has reported would result in unacceptable delays in finalising essential projects. To keep the program moving, associated design work will continue on all projects and, to limit any adverse impact on ACT employment, the small projects up to \$1m will be committed to construction in the normal course once design is completed. A report is sought by 31 August 1989 so that the committee's report is available to assist the Assembly's deliberations on the 1989-90 budget which I shall be presenting in September.

Mr Speaker, I commend this reference to the Assembly. I believe that, as we now have a delay on the Kingston foreshores reference, it should be possible for the committee to undertake its review of this capital works program.

27 July 1989

MR KAINÉ (Leader of the Opposition) (4.37): Mr Speaker, I will be brief. Clearly this program is something which the standing committee should look at. There are some aspects of the Minister's remarks that cause me some concern, however, because presumably the fact that some of these projects are so urgent that they must go ahead between now and 31 August indicates that there has been removed from the power of the committee the right to make any recommendation about them.

The committee could conceivably even conclude that some of these projects should not go ahead at all. The fact that they are going ahead pre-empts any recommendation that the committee should make. However, I do not think the matter is quite that serious. Even if works were started today on the Theodore Primary School, I just cannot imagine that by 31 August there would be much more there than a hole in the ground, so I am not too concerned about the things that the Chief Minister has said.

There is a need to report by 31 August. I understand the reason why the Minister has set that target, but I would submit that for a great many projects in the program it does not really matter whether they get the nod before the program comes up in September or whether they do not, because as the year goes by some of them probably will not be instituted anyway for many reasons - the lack of labour, the lack of prior planning, all sorts of reasons why a particular project that appears in the program in the event does not take off in the year. I submit, Mr Speaker, that you, as a former serving officer of the air force, well understand why planned projects do not come to fruition necessarily in the year of the program.

The chairman of this committee is not here to speak for himself but, as deputy chairman, I am sure that the committee will take the project that the Chief Minister is giving to us, we will attack it seriously, we will deal with it in a serious way, we will do our best to meet the 31 August timetable and come back with our recommendations as to what the works program really should look like in 1989-90.

MR DUBY (4.39): Mr Speaker, I would just like to point out one fact that seems to have escaped people's notice, the fact that this committee is due to report on 31 August. This house is not sitting on 31 August. It has been brought forward a week. It is actually 24 August now, so what we are really setting up is a committee to look at matters and report in a matter of less than three weeks.

Mr Kaine: We might have to reconvene the house, might we not?

MR JENSEN (4.40): Mr Speaker, I do not wish to take up too much time of the house in relation to this particular matter. I note the comment made by Mr DUBY and I also note

27 July 1989

the comments by Mr Kaine. The Rally supports the motion with some concern, in a way, in relation to the time factor. However, my understanding of the time was that it would enable the committee to have a month to look at this particular issue, and it was suggested that this would be sufficient to enable the committee to do this, although it will be a very difficult and hardworking period for members of the committee, particularly if they allow a week to ensure that the report is prepared and put forward in time.

However, I also note the comments by Mr Kaine in relation to the projects that the Chief Minister has indicated are effectively already under way. I would suggest that, as Mr Kaine suggested, it might be possible during the committee deliberations that they have a look at those particular projects and decide that maybe they need not be as grand as what is proposed here. It may be possible, in fact, from the committee's point of view, for this particular matter to be looked at and it may mean that there may be some reduction, if you like, in the size of that particular project because it is considered that it is not appropriate or necessary at this time.

I also note with interest that the Government is moving ahead on the Greenway fire station. With increasing development in Tuggeranong, particularly around the town centre, I think it is appropriate that that particular facility, with its appropriate tenders and appliances, be made available as soon as possible. I would hope that that particular project would go ahead. I think that is all I need to say, Mr Speaker, at this stage.

MR COLLAERY (4.42): As chairman of this committee, Mr Speaker - - -

Mr Kaine: I spoke for you in your absence.

MR COLLAERY: Did you? When does the putsch occur? The referral is welcome. It is an historic moment. The committee will have to work very hard again, as Mr DUBY indicates. But this brings employment and revitalises working situations for contractors, and that is a very good aspect. I opened a business in Fyshwick last night. There were quite a number of people there. Clearly, the private business sector is looking for signals from this Government; also looking for us to get the capital works programs going in its areas; and looking for us to give our contracts, wherever possible, to home based contractors and businesses.

Mr Speaker, not to adopt any concluded view on the reference but only to make observations, the proposed capital works set out in appendix E to the budget include the reference to the nurse education building at Bruce CCAE. I personally welcome that decision, which of course we sought as a Rally when we learned that the nurse trainees at CCAE were having to travel in the day and in the dark hours up to Calvary Hospital for their lessons and the like and there was no adequate arrangement for them.

27 July 1989

One hopes that some of their course can now be conducted on the campus and they will not have that broken-up training situation which, of course, other tertiary students will not put up with but which nurses, who often do not get enough equity in the system, have been putting up with.

Mr Speaker, the other aspect of the referral that interests me and does concern me - and I wish to put it on public record now, just in case something happens - is that the urban fire service proposition does not include a new fire station for the proposed Yarralumla site. Now, many Canberra people are not aware that with the closure of the Forrest fire station and the move of the fire station to Fyshwick, the normal eight-minute time zone I believe which the fire service has put on itself to reach any area within a circuit is breached at the moment because the areas in Yarralumla - at least in that area and maybe even the Prime Minister's modest little dwelling - cannot be reached by a fire machine within eight minutes. Now, one hopes that nothing happens there and that any barbecues being held further up the line, at Government House, do not get out of hand.

Mr Speaker, that is a program that has not been announced for Yarralumla. It is not within the purview of the committee, but I do draw to the attention of the Assembly that that decision to give priority to Greenway may be a question of choosing between two of your children. When you are talking about public safety - the Deputy Chief Minister is amused by something - really, that is something that we needed to look at in the budget. We have not been able to, and it is not a reference to the committee.

Perhaps the Chief Minister would consider that aspect and make an amendment or a special referral to the committee to examine the situation of the residents of Yarralumla, and possibly Curtin, certainly Deakin West, where there are now commercial offices, to see whether their fire safety situation is within the standards and parameters that the fire service in this city, the marvellous fire service in this city, has set for itself.

Mr Speaker, finally, on behalf of the committee, I welcome the referral and assure the Assembly and the people of the ACT that we will work to our very best to give this the earliest possible attention.

Question resolved in the affirmative.

RATES AND LAND TAX (AMENDMENT) BILL 1989

MS FOLLETT (Treasurer) (4.46): Mr Speaker, I present the Rates and Land Tax (Amendment) Bill 1989. I move:

That this Bill be agreed to in principle.

27 July 1989

The Bill amends the Rates and Land Tax Act 1926. The Rates and Land Tax Act makes provision for the levying, imposition and payment of rates and land tax on land in the Territory.

The amendments are to set the urban and rural general rate and land tax level for 1989-90 and introduce improvements in the administration of rates and land tax in the ACT. The Bill provides for the level of rates, previously set by the Minister by declaration in the Gazette, to be specified in the Act. This step has been taken in recognition of the importance of rates and land tax as a revenue raising measure for the ACT and therefore its impact on ACT residents.

The urban general rate for 1989-90 is 1.125 per cent of unimproved value. The rural rate will remain at half the urban rate, at 0.5625 per cent of unimproved value. Land tax is unchanged, at 0.75 per cent of unimproved value. In keeping with the Government's commitment not to increase rates to householders above inflation levels, average residential general rate payments will not increase in real terms.

Based on experience in the States and the Northern Territory, the introduction of an incentive of five per cent discount for ratepayers who elect to pay their account in full by the first instalment due date would result in an increase in the number of ratepayers electing to pay in full and would substantially help the Government's early cash flow. A five per cent discount compares favourably with the after tax benefit ratepayers would receive if they decided to continue to pay by instalments and invest the second, third and final instalment moneys until they were required to make a rates payment. The scheme is self-financing from interest earned from the early receipt of revenue and savings in administration costs.

Ratepayers who choose not to pay in full by the first instalment date, especially low income ratepayers, will be assisted by extending the interval between instalment dates. Existing instalment dates - 15 October, 15 December, 15 February and 15 April - concentrate payments in a six-month period. Changing the instalment dates to 15 August, 15 November, 15 February and 15 May extends the interval between instalments from two to three months and provides a more even cash flow to the Government throughout the financial year.

Land tax in the ACT is payable on rateable land, except where used for residential or primary production purposes. It is a general taxation measure which, in the States and the Northern Territory, is imposed and collected at State rather than municipal level, on a single payment basis. In the ACT, land tax may currently be paid by instalments with general rates. It is also set at a significantly lower level, at 0.75 per cent, than elsewhere in Australia, where

27 July 1989

it is two per cent or higher. It is proposed that, commencing in the 1990-91 financial year, land tax be payable in a single payment. The ACT is the only major city administration in Australia that does not apply a pecuniary penalty on overdue rates and land tax accounts.

The ACT Government loses interest on the outstanding moneys and incurs a heavy burden in recovery action. These costs are borne by all rate and land tax payers through higher rates and taxes. The Bill introduces a penalty rate of 20 per cent per annum on overdue accounts. This will serve to discourage recalcitrant property owners from non-payment and offset debt recovery costs of the revenue office.

I now present the explanatory memorandum for the Bill.

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

SEWERAGE RATES (AMENDMENT) BILL 1989

MS FOLLETT (Acting Minister for Housing and Urban Services) (4.50): I present the Sewerage Rates (Amendment) Bill 1989. I move:

That this Bill be agreed to in principle.

The Bill amends the Sewerage Rates Act 1959. The Sewerage Rates Act makes provision for the imposition of sewerage rates. The amendments, incidental to the rates and land tax penalty provisions, formalise existing arrangements and make it clear that sewerage rates accruing for the period before the transfer of function to ACT Electricity and Water on 1 July 1988 are payable to the Territory and that rates payable from 1 July 1988 are payable to the Authority.

To protect land owners who have made payments to the Authority in respect of pre-July 1988 rates, the Bill provides that such payments discharge the debt. I now present the explanatory memorandum for the Bill.

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

WATER RATES (AMENDMENT) BILL 1989

MS FOLLETT (Acting Minister for Housing and Urban Services) (4.52): Mr Speaker, I present the Water Rates (Amendment) Bill 1989. I move:

That this Bill be agreed to in principle.

This Bill amends the Water Rates Act 1959. The Water Rates Act makes provision for the imposition of water rates. The amendments, incidental to the Rates and Land Tax Act

27 July 1989

penalty provisions, formalise existing arrangements and make it clear that water rates accruing for the period before the transfer of function to ACT Electricity and Water on 1 July 1988 are payable to the Territory and that the rates payable from 1 July 1988 are payable to the Authority.

To protect land owners who have made payments to the Authority in respect of pre-July 1988 rates, the Bill provides that such payments discharge the debt. I now present the explanatory memorandum for the Bill.

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

LEGISLATIVE ASSEMBLY (MEMBERS' STAFF) BILL 1989

MS FOLLETT (Chief Minister) (4.54): Mr Speaker, I present the Legislative Assembly (Members' Staff) Bill 1989. I move:

That this Bill be agreed to in principle.

The Legislative Assembly (Members' Staff) Bill 1989 provides for the employment of consultants and staff by Ministers, certain office holders and members of the Legislative Assembly.

In presenting the Bill, the Government demonstrates the belief that Ministers and members should have assistance in key projects from able people who share their values and objectives or who can bring relevant specialised or advanced skills.

It also reflects a belief that career public servants should not have to be drawn into political and partisan argument. The interim procedures used to date to employ Assembly members' staff have consisted largely of simple contractual arrangements or the temporary employment provisions of the Public Service Act. It is anticipated that this Bill, based upon the Commonwealth Government's Members of Parliament (Staff) Act 1984, will allow greater flexibility than the interim procedures allow.

It is the Government's intention in introducing this Bill to provide individual Ministers and members with the maximum flexibility and autonomy in matters concerning their own staff. In so doing, they also become accountable for them.

Additionally, the Bill will dispense with questions of the propriety of employing staff under the current arrangements. In particular, the Bill clearly recognises: the inherently political role of the staff involved; and their primary responsibility to their relevant member of the Legislative Assembly, rather than to the ACT government service.

27 July 1989

The scope it provides for combining the talents of career officials with the specialised skills of other competent individuals will strengthen the policy development capacity of members. It will benefit this and subsequent ACT governments; it will benefit the operation of the Assembly and the effectiveness of its members; and it will benefit the people of the ACT by enhancing the capacity of elected officials to respond to public demands.

In present this Bill, we are building upon the experience of other Australian and overseas parliaments that have attempted to balance the democratic ideal of a responsive and impartial public service with the needs of the executive and legislative branches of government.

In style and substance, the Bill follows closely the example set by the Commonwealth Members of Parliament (Staff) Act 1984. But it would be inappropriate to use that Act without due recognition of the particular circumstances of the ACT and the changes in the legislative environment since 1984.

In that regard, there are a number of important differences between the Commonwealth Act and the current Bill. For example, the present Bill cannot include the protections afforded to the rights of Australian public servants who become employed under the Commonwealth Act - that is, "reintegration" to the public service. This is so because ACT public servants are still employed under the Commonwealth's Public Service Act 1922 and a Commonwealth Act cannot be modified with an ACT Act. Rather, ACT staff will be accorded these same protections through the Commonwealth inserting a new part to the Public Service Act 1922.

The superannuation provisions have been changed because the ACT has been declared an "approved authority" for the purposes of the Superannuation Act. Prima facie ineligible staff are covered if they request the Commissioner for Superannuation to direct that they are eligible employees.

In line with my commitment to openness and in consultation, these provisions and all other aspects of the legislation will be discussed with the appropriate unions and staff prior to the Bill proceeding. Staff can be assured that they will be fully involved in the implementation of the legislation.

As part of these consultations, I am also writing to you, Mr Speaker, outlining the consultation process that will commence shortly and inviting the involvement of members as well as their staff. I now present the explanatory memorandum for the Bill.

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

27 July 1989

SUSPENSION OF STANDING AND TEMPORARY ORDERS

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

That so much of the standing and temporary orders be suspended as would allow notice No. 1, private members business, to be called on forthwith.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE - STANDING COMMITTEE

MRS NOLAN (4.59): I thank the house for allowing this to come on this afternoon. I move:

That the following matter be referred to the Standing Committee on Planning, Development and Infrastructure for inquiry and report -

- (1) whether changes should occur in relation to the current policy concerning fences on suburban/residential building blocks including -
 - (a) whether restrictions on front and side boundary fences should be eased; and
 - (b) whether restrictions on the material from which such fences are made should be eased; and
- (2) the committee to report by the first day of sitting in April 1990.

At the outset I would like to talk a little about the history in relation to this issue, which obviously has been around for a long time.

The policy that our city's planning authorities have consistently adhered to over the years which prohibits the existence of front fences has been one that has set Canberra apart from other cities in Australia. The no front fence policy has remained consistent since our city's very beginning. The reason why this has been the attitude of Canberra's planners is that fences are not conducive to a garden city environment, and a garden city environment is the theme for Canberra that the architect Walter Burley Griffin envisaged for its future. However, the no front fence policy is now coming under question more so than ever. Certain issues have developed for home owners in Canberra and it is these issues that I believe justify a review of current front fence policy. Mr Speaker, this is the reason why I have moved for the front fence policy to be referred to the Standing Committee on Planning, Development and Infrastructure. The large amount of public debate on the issue related to and concerning front fences warrants, I believe, a review of that policy.

As those in the Assembly already know, during the election campaign the Liberal Party undertook a doorknocking campaign, and during my many hours spent in the Tuggeranong Valley many residents raised the issue with me. It was

27 July 1989

raised by all sorts of people and for all sorts of reasons. I will today address some of those issues.

I believe that the front fence policy should be referred to the committee, but before doing so I will give a brief outline on that policy itself. As I have already said, the reason why the front fence policy is to be found in the plan and Burley Griffin's idea as stated in 1918 was that Canberra should be a garden city theme, but the vision of Walter Burley Griffin was restricted to his plan to make Canberra a city of only some 25,000 residents. His plan did not give consideration to the some 270,000 residents that currently live in Canberra in our sprawling suburbs.

The point I make, Mr Speaker, is that the Griffin theme of a garden city was based on plans for a city smaller than the one in which we currently live. The front fence policy which adheres to this theme, I believe, is ready for review because of this. The very problems of suburban living now question this particular policy. Following Griffin's statement, the Federal Capital Advisory Committee in the early 1920s acted upon Griffin's theme by recommending that houses have a soft enclosure and demarcation by hedges.

These recommendations were then incorporated into the Canberra building regulations in 1924 wherein front fences were prohibited. Then in 1926 the federal capital planning advisory committee referred to this approach being taken in the development of its first four residential areas. In 1958, shortly after the NCDC was established, it reaffirmed the no front fence policy. Within a year a number of specific development control policies were adopted. These control policies included the statement that front fences, including dwarf walls, will not be permitted, side fences will not be permitted in front of the building line except in special circumstances, and paling fences may be prohibited in some areas.

More recently, in 1964, the Building Ordinance was introduced. This requires development proposals to be approved with respect to external design and siting. Also in 1964 the NCDC incorporated the no front fence policy into the publication it released called Development Standards as Applied to Siting and Design Within Residential, Commercial and Industrial Areas. But the development standards were then superseded by the publication Policies and Definitions which in turn was replaced by the publication Current Design and Siting Policies in 1973.

Therefore, since Burley Griffin's statement, despite successive policy alterations, the garden city theme has been adhered to, and in accordance with this theme Canberra's planning authorities have prohibited front fences in detached or semidetached housing areas. However, the question can be asked as to whether fences made out of certain specific material would be able to maintain a high standard of appearance for Canberra suburbs. Similarly, it can be argued that front fences should be allowed up to

27 July 1989

the property line because this would enable home owners to utilise their land more fully.

As it stands, current front fence policy does not allow the construction of fences in front of the building line, which is usually a minimum of six metres back from the property line. However, it does allow for the erection of structures behind this line under certain conditions. These conditions specify the permissible size of the structures and insist that they must be made of a material similar to that of the main building. However, in preventing fence construction, they do not fully cater for the needs of the home owners. Home owners are only permitted to build a narrow range of structures but, more importantly, they are not able to make full use of their land when constructing a front wall.

The only permitted structure beyond the building line is a hedge. But, given that hedges take a number of years to grow, the problems caused by not having a front fence are not immediately satisfied. Many home owners are of the opinion that the current no front fence policy does not allow for adequate protection of their front lawns, nor does it provide for a front yard in which their children can play safely. A front hedge does not allow for children to remain safe and it does not protect front lawns from unwanted intruders such as dogs. But, with a hedge, the time it takes to grow must be taken into account. Children can remain unsafe and animals continue to intrude for the many years that it takes for a hedge to grow. Child safety is an issue that alone provides very good reasons for an inquiry into the no front fence policy. The dog problem and the cost this causes the ACT community is another issue that warrants an investigation into the current front fence policy.

Mr Speaker, another issue I see as being important in warranting an investigation into front fence policy is the growing number of unauthorised fence structures that run contrary to the no front fence regulation. The number of unauthorised structures was last measured as long ago as 1982 and it was measured at some 3,700, of which about 2,000 were fences. The existence of these structures suggests that quite a few Canberra residents are not satisfied with being told they are not allowed to build a front fence. Undoubtedly, the number of fence structures I have quoted would have increased dramatically since 1982.

The high number of front fence structures that do not comply with current policy provides the perfect reason, Mr Speaker, for us to ask the Standing Committee on Planning, Development and Infrastructure to inquire into and report on that policy. Why is it that people are willing to have no regard for regulation and build a fence? How come the fences are allowed to remain, even though they are prohibited? These are questions that should be answered.

27 July 1989

In the survey of 1982, of the 3,700 structures in front of the building line it was found that 90 per cent were built to define property boundaries and around 40 per cent were built to provide privacy, security and safety for residents.

In summation, residents erected fences to delineate the front fence boundary; increase visual privacy; discourage trespasses by people, animals and vehicles; and provide secure space for children and young animals.

Mr Speaker, back on 31 May I asked Mrs Grassby a question, and the question was whether mechanisms would be put in place by the Government to ensure that front fences are available to residents if they so choose. Mrs Grassby, in answer, told me that "at the moment our department is looking at the matter" and when she had an answer she told me she would come back to me on it. So far I have seen no evidence of an investigation into the matter by Mrs Grassby or her department.

I ask the Assembly: What exactly does her looking into the matter entail? How long is she looking at it? Is there a satisfactory level of public consultation? The matter does need to be more thoroughly investigated. Thus, I ask the Assembly that the front fence policy be reviewed by the Standing Committee on Planning, Development and Infrastructure. Then we will have some times and dates and be able to fully consult with the community. I commend the motion to you.

MR MOORE (5.09): I shall speak very briefly, after hearing Mrs Nolan's defence of "de fence". It was very interesting to listen to Mrs Nolan's rendition of the garden city, but I believe that most people who chose to come and live in Canberra chose to come and live here because of the very nature and the way Canberra works.

I must say I am delighted to live in a city without front fences. Nevertheless, I shall support the review of this policy simply so that the matter can be aired, drawing attention to the fact that Mrs Nolan's 3,700 front fences in 1982, according to my calculations, represent the fact that about 1.3 per cent of Canberrans had actually chosen to put up some kind of fence.

Mrs Nolan: That was the last time they were measured.

MR MOORE: And even if that were doubled, it might go to 3 per cent. I think that hardly warrants what one could call a major issue of concern. It does concern me that such a minor issue as this is actually brought up and handed to the Committee on Planning, Development and Infrastructure when there are other much more major issues.

Furthermore, the committee has to report on the first day of sitting in April 1990. I think perhaps we should suggest that they report on the second day of sitting or

27 July 1989

the third day of sitting because, in fact, we already have something like five or six motions to sit on or to actually report on that day, and I think we had better be very careful about how we do that.

Mr Kaine: It will just have to go in the queue, Michael.

MR MOORE: Exactly. I have some reservations but, in the interests of having the issues aired, I will support this motion.

Question resolved in the affirmative.

DAY OF NEXT MEETING

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

That the Assembly, at its rising, adjourn until Tuesday, 22 August 1989, unless the Speaker fixes an alternative day or hour of sitting on receipt of a request in writing from an absolute majority of members.

Assembly adjourned at 5.12 pm until Tuesday, 22 August 1989, at 2.30 pm

27 July 1989

ANSWERS TO QUESTIONS

The following answers to questions were provided:

Disposal of Tyres

Ms Follett: During question time on 6 July (Hansard, page 782) Mr Moore asked the Minister for Housing and Urban Services a question about the cryogenic method of recycling tyres. The answer to Mr Moore's question is as follows:

The Office of City Management has been aware of this method since the mid-1970s and has considered its application in the Australian Capital Territory at various times. It is considered the best method of producing rubber crumb as it allows separation of the crumb from the fabric or steel in the tyre. However, it is the most expensive method, and justification for a cryogenic plant depends on access to large supplies of used tyres and an end use for the product. Large capital cities only can offer this potential.

Introduction of this method of tyre recycling has been slowed by limited applications for the recycled product and, it is understood, as yet no plants are operating commercially in Australia. In the case of the ACT the used tyre volume could not justify local use of the cryogenic method. A conscious decision was taken to bury tyres in separate trenches from which they could be recovered for recycling should an economic end use be developed.

Bruce Stadium

Mr Whalan: On 6 July 1989 (Hansard, page 794) Dr Kinloch asked a question without notice on the effect of the Bruce Stadium works on the O'Connor to Belconnen cycle-path. My answer to the member's question is as follows:

The proposed modifications to the warm-up track at Bruce will require closure of a short section of the O'Connor to Kaleen cycle-path. While construction work is under way a temporary path through the Australian Institute of Sport will be signposted pending construction of an alternative permanent path.

Gazettal of the permanent path was considered by the Parliamentary Joint Committee on the ACT on 15 May 1989 and its recommendations will be tabled in the Commonwealth Parliament when it resumes on 15 August 1989. Once gazettal is finalised, the work can commence on the replacement path.

My colleague the Minister for Housing and Urban Services is aware of the need for satisfactory cycle access in this area and is currently examining the options for ensuring that the cycle-path network is properly maintained.

27 July 1989

Community Medical Practitioner

Mr Berry: On 25 July 1989 **Mr Kaine** asked the Minister for Community Services and Health the following question:

It has been brought to my notice that in May, just before self-government, the then Minister for Territories, Mr Holding, appointed a community medical practitioner for the Phillip Health Centre.

Can the Minister tell me: What was the degree of urgency that warranted the appointment of such an officer on the eve of self-government? What duties is this medical practitioner supposed to perform? What are the terms of contract under which he or she has been appointed, such as the term of the appointment and the remuneration that that person is to receive, and whether or not the medical practitioner is to engage in patient care or whether he or she is perhaps an adviser of some kind rather than a medical practitioner?

The appointment in question was made by the ACT Community and Health Service, in the ordinary course of recruitment within the service, to replace an officer who had retired. The only degree of urgency related to the need to maintain existing levels of service delivery to patients.

The duties expected of the person appointed to this position are the same as those expected of all other personnel at this classification.

The terms of contract agreed with the officer are in accordance with the relevant industrial award, in relation to permanent appointment, remuneration, duties and all other conditions.

The person appointed has, as a prime responsibility, patient care. In addition, a community medical practitioner is expected to carry out tasks appropriate to family medicine, preventive medicine and primary care in the community.

The particular professional appointed to the position in question has agreed, in addition to providing general practitioner services to patients within the region serviced by the Phillip Health Centre, to act as adviser to the cervical screening program. This is totally in keeping with both the role of the position and the objectives of the cervical screening program.

Coach Transport

Ms Follett: On 1 June 1989 **Mr Jensen** asked the Minister for Housing and Urban Services a question without notice on

27 July 1989

coach tour operations in the ACT. He then asked a supplementary question on the same topic. The answers to both questions are as follows:

The Government is aware of the problems facing ACT coach operators who are trying to compete in New South Wales. However, recent moves to deregulate coach services by the New South Wales Government should assist ACT coach operators to compete with their New South Wales counterparts.

In addition, the ACT (Self-Government) Act gave the ACT "State-type" rights to freedom of trade which will allow ACT coach operators to provide services out of the ACT into New South Wales.

The Minister for Housing and Urban Services, Mrs Grassby, is aware of the concerns of the ACT coach operators and met with them last month. As a result of this meeting she has written to her New South Wales counterpart, Mr Baird, seeking discussions on cross-border operations and has asked her department to establish a liaison committee with the coach industry to discuss problems facing the industry.

Bicycle Safety Helmets

Ms Follett: Yesterday Mrs Nolan asked: What is the Government going to do to ensure that safety helmets are worn by all bicyclists? The answer to the member's question is as follows:

The approaches that may be taken to improve helmet wearing rates include education, promotion and regulation. The Administration has been trying to increase helmet wearing rates through comprehensive education and promotion initiatives. There has, in fact, been considerable success in promoting helmet wearing through preschool and primary school road safety programs and other initiatives.

Our school based education and promotion efforts have helped to lift helmet wearing rates for ACT school children from 18 per cent in 1987 to over 30 per cent in 1989 and I anticipate further rises with each annual survey.

On the issue of regulation, experience in other States indicates it is difficult to legislate for compulsory helmet wearing for the following reasons:

Public opinion is very divided on this issue and resistance to wearing helmets is based on factors such as cost, comfort and, particularly among children, peer pressure. None of the States legislate for compulsory helmet use.

It is not always possible to change people's habits through legislation without adequate enforcement.

27 July 1989

Compulsory helmet wearing would be very difficult to enforce by the Australian Federal Police because of the extensive network of footpaths and cycleways that riders can use.

Dog Control

Ms Follett: On 26 July Mr Stefaniak asked a question about the dogs and tenant that reside at 5 Rooth Place, Watson. He asked:

- (1) What do you intend doing about ensuring that the dog control authorities take proper steps in relation to the two dogs there?
- (2) In relation to the Housing Trust, the tenant in 5 Rooth Place is a government tenant. What do your Government and the Administration intend doing in relation to breaches of clause 7 of the acknowledgment of tenancy in relation to harassment and intimidation of other residents of that street and threats that have been made against them?
- (3) Does the Chief Minister have a series of written complaints supplied by several of the residents of that street?

In response to Mr Stefaniak's questions about problems being experienced by certain residents of Rooth Place, Watson, I can now provide the following answers:

Copies of written complaints supplied by the residents of one particular household in Rooth Place, Watson, have been received within my office.

Neighbourhood disputes, by their very nature, are mostly intractable and difficult to resolve. As you will appreciate, there is a limit to what the Government and the Administration can do in these cases.

I am informed that the ACT Housing Trust has thoroughly investigated the complaints against its tenant in No. 5 Rooth Place. This has included writing to the other residents in the street in September 1988 as well as interviewing the tenant of 5 Rooth Place and the complainants. I understand that as a result of these investigations and the responses received from neighbours the Housing Trust wrote to the complainants in November 1988 indicating that their allegations could not be substantiated to the point where any action could be taken under the tenancy agreement. This, of course, does not rule out civil action by the complainants should they consider such action is warranted.

27 July 1989

It may be that the Conflict Resolution Service which the Government has now agreed to fund could be able to assist in the resolution of this matter. I understand the complainants have been advised of the availability of this new service.

The problems relating to dogs in Rooth Place are well known to the dog control employees. There is a log of 25 calls going back to November 1985. A dog and seven pups from 5 Rooth Place were put down with the owner's consent on 28 March 1989.

Complaints are still being received and dealt with. The reports are often conflicting in nature and action cannot be taken without adequate evidence. Dog control officers will be endeavouring to obtain evidence to take action.

In this particular case I understand the complainants are unwilling to have legal action taken but instead want the owners to be more responsible. This is the central message that the Government is seeking to get across to Canberra's dog owners. With more responsibility on the part of certain dog owners, Canberra will be a better place to live.

I have asked the employees of the dog control area to increase patrols in the area of Rooth Place to alleviate the concerns of surrounding residents.

27 July 1989

Blank page.

27 July 1989

APPENDIX 1

(Incorporated in Hansard on 27 July 1989 at page 1058)

COMPARISON OF PROJECTED ACT LEGISLATIVE ASSEMBLY SITTINGS FOR JULY TO
DECEMBER 1989 WITH SITTING DAYS OF STATE PARLIAMENTS

DAYS

ACT Legislative Assembly	projected 33
NSW Legislative Assembly 1984-1988	23.8
NSW Legislative Council	22.9
Victoria Legislative Assembly	23.4
Victoria Legislative Council	18.5
WA Legislative Assembly	22.9
WA Legislative Council	22.6
QLD Legislative Assembly	22.2
NT Legislative Assembly	12.8
TAS Legislative Assembly	26.5
TAS Legislative Council	27.2

Figures for State and Territory Parliaments are calculated by averaging the full year totals of days of sittings from 1984 to 1988 inclusive. This figure has then been divided by two to approximate days of sittings over six month periods.

* Source: Commonwealth Parliamentary Library.

* Comparable Figures for South Australia are not available.

1125