



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

7 August 1991

Wednesday, 7 August 1991

Temporary Deputy Speaker	2477
Police Offences (Amendment) Bill 1991	2477
Legislative Assembly (Members' Staff) (Amendment) Bill 1991	2484
Members' staffing entitlements	2490
Secondary education in Weston Creek	2493
Questions without notice:	
Land tax	2515
Intellectual disability services	2517
Land tax	2518
Housing Trust loan repayments	2519
Medicare bulk billing	2520
Postnatal depression	2520
Member's travel costs	2521
Mammography program	2521
Ainslie Transfer Station	2522
ACTION - efficiency improvements	2523
TAFE courses	2526
Personal explanation	2526
Suspension of standing and temporary orders	2527
Suspension of standing and temporary orders	2531
Organised crime and X-rated video industry allegations	2532
Papers	2539
Interim Planning Act 1990 - variations to Territory Plan	2539
Scrutiny of Bills and Subordinate Legislation - standing committee	2541
Electricity and Water (Amendment) Bill 1991	2542
Water Supply (Chemical Treatment) (Repeal) Bill 1991	2544
Planning Development and Infrastructure - standing committee	2545
Conservation Heritage and Environment - standing committee	2545
Discharge of order of the day	2548
Personal explanation	2553
Auditor-General - Report No 5 of 1991	2553
Adjournment:	
Electricity and Water Authority	2555
Organised crime and X-rated video industry allegations	2556
Organised crime and X-rated video industry allegations	2556

7 August 1991

Wednesday, 7 August 1991

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

TEMPORARY DEPUTY SPEAKER

MR SPEAKER: Members, I wish to inform the Assembly that, pursuant to standing order 8, I have nominated Mrs Grassby as a Temporary Deputy Speaker. She will take the chair when requested by either me or the Deputy Speaker. Standing order 8 disqualified Mr Wood from remaining as Temporary Deputy Speaker on his appointment as a Minister. I present my warrant nominating Mrs Grassby.

POLICE OFFENCES (AMENDMENT) BILL 1991

MR STEFANIAK (10.31): Mr Speaker, I present the Police Offences (Amendment) Bill 1991. I move:

That this Bill be agreed to in principle.

Mr Speaker, this Bill's history goes back to the time when we used to have move-on powers in other forms of legislation in Canberra; but, as a result of, I think, some ill-judged deletions and so-called reforms in the mid-80s by the Federal Government, this provision was deleted. That left a gap. The Australian Federal Police, since about 1987, were very, very concerned about that gap. On 28 June 1989 I introduced a private members' Bill which was subsequently amended as a result of a committee, and that Bill became law in August 1989 and was gazetted on 6 September 1989.

In that Bill, which is section 35 of the Police Offences Act, there is a sunset clause which is to cause that part of the Act to expire at midnight on 5 September 1991; hence this Bill, which is to delete the sunset clause and enable this very necessary and successful piece of legislation to continue.

The basic rationale behind the Bill can be summed up, I think, by the police report to the select committee that looked at introducing the Bill. I was the chairman of that committee and I was joined by my colleagues Mr Collaery and Ms Maher on that committee. The police outlined the need for this useful law enforcement tool. This is the current and most recent police report, which I will hand up to the Assembly but which Mr Connolly has already provided to members of the Assembly. It states:

AFP concerns included:

the disturbing amount of misbehaviour, particularly by young people, in certain public places, eg., bus interchanges and shopping centres. In many cases, this behaviour fell short of what would constitute a substantive offence however annoying and sometimes frightening it may be to other users of that public place;

in certain circumstances where such behaviour could constitute an offence the police were unable, or civilian witnesses unwilling, (due sometimes to fear of retribution) to identify the particular offenders from the group;

where young people are involved, the AFP would prefer not to lay charges, but rather to simply break up the misbehaving group in order to make public places safe and secure for other persons;

a further problem, from the AFP's view, is that of individuals loitering around public places, in a suspicious manner (eg., public toilets and around schools);

the AFP assert that the public expects action to be taken in all these circumstances, yet police had no power to act.

The police go on to say:

Before the introduction of the move-on power the AFP response was to generally make their presence known and suggest that the individual/s move on. They were not obliged to do so.

Indeed, many people are very aware of their rights and refuse to do so. The report continues:

The AFP believes that a "move-on" power is a preventative tool which has the capacity to negate anti-social behaviour before it arises.

Mr Speaker, we have had three reports. This is the fourth report to go before the Assembly pursuant to the recommendations of the committee in relation to the move-on powers. In each of the reports the police have recommended that the power be retained and reinstated as a useful law enforcement tool.

I think this current report reiterates a number of points already made and highlights a few other points. It is very important, Mr Speaker, especially given that most street offences are, naturally, caused by young people. People tend to grow out of that as they get older. It is just like the fact that you do not see many 40-year-olds

7 August 1991

breaking and entering houses. That tends to be a crime committed by younger people. There are natural reasons for that. But, when we are talking about young people, I think it is very important to look at the third concern of the police, and that is that where young people are involved they would quite often prefer not to lay charges, but rather to break up the misbehaving group - and for very good reason.

I had a debate with Mr Connolly a couple of weeks ago and he was saying, quite fallaciously, that the move-on power causes young people to come into conflict with the police. Well, Mr Speaker, I would much rather, as a young person, come into conflict with the police very briefly and be told to move on and stop misbehaving, and not end up in court, than be charged with a more substantive offence such as assault or offensive behaviour, go to the police station, be charged, spend a brief period of time in custody until I was bailed, and then have further confrontation with the law, perhaps the next morning or at some later stage, before the local magistrate. It is not a terribly pleasant experience, especially when one gets a criminal conviction on one's record, and that does not help young people going for jobs.

One of the greatest strengths of this legislation is that it does prevent a lot of people, especially a lot of young people, from coming into conflict with the law and having criminal convictions recorded, as might otherwise happen had the substantive behaviour continued and the police been forced to lay a substantive charge.

Mr Berry: You have not read the report, Bill.

MR STEFANIAK: I have read the report very well, Wayne. Perhaps you should read it too. It is a pity it has not got pictures. There has been a decrease in the number of reported offences against good order, such as offensive behaviour, since the introduction of the legislation.

Mr Berry: You did not understand it then.

MR STEFANIAK: On page 2, Wayne, the fourth paragraph from the bottom states:

From 1 September 1988 to 31 August 1989, the 12 months before Section 35 of the Act came into effect, there were 159 reported offences against good order. These included 48 incidents of offensive behaviour. In the following 12 month period, from 1 September to 31 August 1990, there were 102 reported offences against good order, including 19 incidents of offensive behaviour.

That particular crime dropped by about two-and-a-half times as a result of this power. That just shows how effective it is. That probably is why, Mr Berry, most young people in Canberra are in support of this power, and I will come to that later.

Mr Berry: What happened to the crime rates? Check them. They are still going up.

MR STEFANIAK: Not offensive behaviour; not offences in relation to public order, Mr Berry. Why do you not read your own police report?

MR SPEAKER: Order!

MR STEFANIAK: The police go on to say this in this current report, Mr Speaker:

The move-on powers are considered ... to be a useful law enforcement tool and have proved to be effective without unduly impacting on people's rights and freedoms.

The police go on to give the details of persons who have in fact been charged with failing to move on - a very small proportion. They also go on in the report to a number of perceived problems with the legislation. It is worthy of note, though, in relation to this, that in one incident where a charge was dismissed the magistrate referred to the police incorrectly giving a group direction. The Parliamentary Counsel, a learned queen's counsel, is of the view that, having regard to section 23(b) of the Acts Interpretation Act, the singular shall include the plural, and, indeed, police can give a group direction. Of course he is more than happy, as is the Government Law Office, to provide police with assistance in any directions.

The police go on to state a number of concerns in relation to the legislation. In the second-last paragraph on page 3 Assistant Commissioner Bates, Chief Police Officer for the ACT, says:

In spite of these concerns, I reiterate that in the absence of specific offences such as fighting in a public place, the legislation has been useful in diffusing potentially violent and dangerous situations on a number of occasions. Recently, legislation used for this type of conduct has been found wanting in the court due to the interpretation placed on the term "riotous behaviour".

One of the arguments the Opposition uses is that there are already similar types of legislation which could be used, such as riotous behaviour and - - -

Mr Berry: We are the Government, mate.

MR STEFANIAK: I am sorry; you are the Government. However, that is not the view of the courts; it is not the view of the police enforcement officers who have to do it. That legislation - riotous behaviour - is inapplicable here because it deals with riots, not with the type of street

7 August 1991

crime and street behaviour we are talking about here. They are two very different situations, as is correctly pointed out in the police report. The police report concludes, in its last paragraph:

During the nearly two years that the move-on power has been available, police have been able to quieten potential trouble areas before formal charges have had to be laid and thereby saved valuable resources (human and financial) from being tied up in the legal system.

Surely it is a most desirable piece of legislation to keep. Assistant Commissioner Bates concludes:

I recommend that the move-on power be retained.

He recommended that to his Attorney-General, Mr Connolly. Mr Speaker, since the last report there have been a number of other incidents. It is interesting to note that in the period from 1 January to 30 June this year - we had no figures on this last time because the last report, I think, was in October last year - there were some 21 situations. About 260 people were moved on and only one person arrested. It is interesting, Mr Speaker, to look at the number of people arrested in total since this legislation was introduced. Over 2,000 people were moved on and only 19 arrested. About 2,000 people have not had to appear in the court system. Many of them probably were young people. That is probably something like 1,500 or 1,600 young people - people under, say, 23 years or so - who might otherwise have gone to court for a substantive crime and would now have a substantive offence on their record. Surely this is a desirable situation in any one circumstance. Mr Speaker, as I have referred to the police report I would like to table it.

The attitude of Canberrans, Mr Speaker, is terribly important in relation to this piece of legislation. On 19 August 1989 there was an opinion poll in the *Canberra Times* which indicated that 70 per cent of the population supported the move-on powers. That included 58 per cent of people under the age of 25 to something like 85 per cent of people over 55. All age groups showed support for this power and, Mr Speaker, I am delighted to say that the situation has not changed.

Members who spoke to the Save the Move On Powers Committee, a couple of members of which are in court today, have been written a letter detailing the results of a survey undertaken by that committee recently. The letter indicates the various suburbs of Canberra where this survey was conducted. Some 434 persons were asked a number of questions, one of which related to the move-on powers. The committee saw me, Mr DUBY, Ms Maher, Mr Collaery, Mr Jensen, Mr Stevenson, Mr Moore, Mr Connolly and Mrs Nolan. The committee was disturbed to note that one in three Canberra people indicated in the survey that they had been

victims of crime. Of the 434 positive responses to this survey, which was conducted between 30 July and 3 August throughout Canberra, 86 per cent of the respondents were in favour of retaining the move-on powers. That came from all age groups, ranging from under-20s through to over-60s, male and female, in many suburbs and in all occupations.

It is also interesting that a significant proportion of persons surveyed also felt that the police did not have sufficient powers to combat crime. I will get the figures for that, too. Something like 64 per cent of those surveyed felt that the police did not have sufficient powers to combat crime. Only 36 per cent disagreed. Of the 434 people surveyed, Mr Speaker, 92 made additional comments. Those have all been faithfully recorded. So, 434 people were surveyed; they answered the seven questions; and in 25 per cent of cases people made some additional comments. Some of those additional comments are favourable to the police; others are not.

It was a very fair survey and I commend the Save the Move On Powers Committee for conducting the survey. I think they have provided Canberra, and hopefully our Labor Attorney-General, with some useful information, not only in this area but also in other areas, on which he might like to act. I have referred to that document and it is there for tabling as well, Mr Speaker.

MR SPEAKER: Mr Stefaniak, I would just indicate to you that you will need to seek leave to table any documents. Therefore, I would ask you to seek leave to table the police report.

MR STEFANIAK: I do so, Mr Speaker; plus that document.

Leave granted.

MR STEFANIAK: I thank members. Mr Speaker, in relation to the survey, just on the move-on powers, male and female, I will go through the age groups. Of those under 20, males, 12 persons stated that they wanted the power kept, and four said no. Of those aged 20 to 30, 35 wanted it kept and 11 said no. Of those aged 30 to 45, 52 wanted it kept and six said no. Of those 45 to 60, 30 wanted it kept and two said no. Of those over 60, six wanted it kept, and no-one said no.

Of the females, women under 20, 28 wanted the move-on power kept and only three did not. Of women between 20 and 30, 61 wanted it kept and only 18 did not; of those between 30 to 45, 76 wanted it kept and only 13 did not; of those between 45 to 60, 61 wanted it kept and only four did not; and of those over 60, 10 wanted it kept and none did not.

7 August 1991

Of the total, Mr Speaker, in relation to all sexes, of all people surveyed, of those under 20, 40 wanted it kept and seven did not; of those between 20 and 30, 96 wanted it kept and 29 did not; of those between 30 and 45, 128 wanted it kept and 19 did not; between 45 and 60, 91 wanted it kept, six did not; and over 60, 16 wanted it kept, none did not.

Mr Connolly: What was the question, Bill?

MR STEFANIAK: The question is also included in the document I have tendered, Terry. It was, "Do you think the move-on power should be kept?". Anyway, it will come round. It was one of seven questions. So, Mr Speaker, again there was overwhelming support - 84 per cent this time - in a reasonable survey of Canberra people in all suburbs. The suburbs are mentioned in that report. In Civic about 200 people were surveyed by Gus Petersilka in Garema Place, one of the problem areas; that, in fact, comes under "Other", Terry, where you have about 234. You will see the other areas of Canberra indicated. Actual numbers are given and the suburbs where persons were asked are listed as well.

This was a pretty comprehensive survey which backed up and supported the earlier survey by the *Canberra Times* in August 1989. This power has proved, Mr Speaker, as I have said on numerous occasions, to be not only a commonsense law enforcement tool and crime prevention tool, but also perhaps one of the most popular pieces of legislation this much maligned Assembly has passed. I think it is utterly essential that this Assembly next week, when we come to debate the power - we have to do it next week because that is the last day of private members' business before the power is due to lapse on 5 September - support the removal of the sunset clause so that this most necessary power can be retained.

I have great difficulty and, indeed, some sadness with the ALP's attitude in relation to this issue. I am confident that all other members will be supportive of retaining this power. I note that my friend Mr Collaery may have an amendment which I am aware of and which I am not overly fazed by, because it will still mean the retention of this power, and I am hopeful that Mr Moore this time might see the light and not vote against extending this power.

However, I am still concerned by the attitude of the ALP in trying to abolish this commonsense power. They seem to have some absolutely irrational, ideological hang-up against it. I cannot see why, because this power protects working people; this power protects the poor and the weak. Why on earth do you think a vast majority of people under 20, especially young women, want to see this power continued? Because it protects them. They are out there on the street. They do not want to have problems from hoons and louts. They are ordinary, decent, average people who want protection, and that is why this power has support

throughout the Canberra community and throughout all age groups. That is why, really, the Labor Party is going against its own fundamental beliefs, I believe, in opposing it. However, I do not think we are going to see any change from the Labor Party and I think that is somewhat sad.

Mr Speaker, I would certainly urge all members of the Assembly to support the continuation of this power when we come to debate it next Wednesday in the Assembly. It is a commonsense power; it has the support of the majority of the population; it has been proved in four police reports now to be useful. Perhaps some further improvements can be made to the legislation as time goes on. That can be done; but for that to happen, of course, the legislation must remain. That is recognised in all the police reports; that is recognised by the vast majority of people in this city.

I would also refer the Labor Party to what happened - I think I raised this issue again in June this year - when they went out and talked to a number of shopkeepers in Garema Place after I raised the fact that this power is due to lapse. Everyone they spoke to wanted the power to be retained. Mr Speaker, I conclude by seeking leave of the Assembly to present a couple more documents: Firstly, the documents in relation to the break-up of age groups and persons surveyed - I put a blue line under the relevant part in relation to the move-on power - and also an explanatory memorandum to the Bill.

Leave granted.

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

LEGISLATIVE ASSEMBLY (MEMBERS' STAFF) (AMENDMENT) BILL 1991

MR COLLAERY (10.50): Mr Speaker, I present the Legislative Assembly (Members' Staff) (Amendment) Bill 1991. I move:

That this Bill be agreed to in principle.

Mr Speaker, I can deduce from looking around me that today's events in the Assembly are of particular interest to the good citizens of Canberra and other places who are gathered here today. It may seem somewhat of an inconvenience to discuss something that is boringly entitled the "Legislative Assembly (Members' Staff) (Amendment) Bill". But it is only through the proper staffing and the adequate resourcing of members of this Assembly that we can give attention to the vital and public issues that concern the constituents of this good Territory. A serious situation has arisen in this house in relation to matters that go to the very heart of members' capacity to deal with issues before it and issues in the public interest - issues such as pornography or anything else.

7 August 1991

By way of short introduction, the principal Act, to which I am moving an amendment, allows, among other things, the Chief Minister to determine that, having regard to the parliamentary duties of a member of the Assembly, the member ought to be empowered to employ staff under the Act. Of course, we could have moneyed members of this Assembly who could well afford to employ their own staff. But members cannot employ staff under the Act unless they are employed under an agreement in writing. The parent Act further stipulates that employment must be in accordance with arrangements approved by the Chief Minister, and it is subject to conditions determined by the Chief Minister. The law further requires, and I will come back to this, that any such determination of those terms and conditions by a Chief Minister shall be tabled in the Assembly. It is, in effect, subordinate legislation, and any determination made should be tabled in the Assembly.

I brought to the Clerk's attention this morning that we may have to do some homework there, because, of course, the determination made by the former Chief Minister, Mr Kaine, on 4 February 1990, does not appear to have been tabled in this Assembly in pursuance of the legal requirement under section 11, subsection (4), of the Act that says:

A determination under subsection (2) shall be tabled in the Assembly on the first sitting day after the date of that determination.

The preamble to Mr Kaine's determination is that under section 6, subsection (2), and under section 11, subsection (2), the terms and conditions shall be tabled in the Assembly. I am sure that is of surprise to all members in the house; but, clearly, the Act required that this determination be tabled and debated, if necessary, by any people who had something to say about it. In that fashion we can talk legitimately about our allowances and entitlements, particularly by way of our staff, without the public thinking that we are somehow obsessed with our own cake and not proceeding with issues of greater concern to the community. So, I stress that I am raising these matters in a non-adversarial, non-confrontationist manner. I suppose, as Attorney during that period, if I had put my mind to - - -

Mr Berry: Another backdoor manner.

MR COLLAERY: Mr Berry seeks to take his usual sly advantages of the speech - - -

Mr Berry: It is because of your usual behaviour, your backdoor tactics.

MR COLLAERY: I think there is a good - - -

Mr Berry: Why didn't you mention it to the Chief Minister when you were talking to her about the issue yesterday?

MR SPEAKER: Order, Mr Berry, please!

MR COLLAERY: I will answer the interjection through you, Mr Speaker, as to why I did not put it to her. As the Clerk well knows, I discovered this about 20 minutes ago, and I rang him.

Ms Follett: Oh!

MR COLLAERY: The Chief Minister is ungracious enough to suggest that I am misleading the house.

Mr Berry: How come it was mentioned to the Administration and Procedures Committee?

Mr Jensen: The Bill was; but not that matter.

MR COLLAERY: Mr Jensen interjects, through you, Mr Speaker, and as a member of that committee - - -

Mr Jensen: No, I am not any more.

MR COLLAERY: He interjects, as a former member of that committee, and says that it has not been.

Mr Berry: You people are going to have to learn to play a straight bat.

MR COLLAERY: I am sure that the public here today are going to see Mr Berry in full flight. Let him keep going this way. Mr Speaker, I seek to have an informed debate today. I do not want it reduced to the left ideological unionist tactics that are employed elsewhere in the workshop by Mr Berry. Mr Speaker, the determination by Mr Kaine was made on 4 February 1990. That has not been tabled. That raises interesting questions of law, and I will not go into those at this stage.

Mr Speaker, the current Chief Minister has purported to make a further determination, in my view - not in the required form in which the former Chief Minister made his, but in the form of a letter to the Speaker. The letter says, and I read from it in part:

Dear Mr Speaker

I am writing to advise you of certain interim staffing arrangements for Members of the Legislative Assembly.

It goes on to state that she would be appreciative if he would advise the Leader of the Opposition, Mr Moore, Mr Collaery, Mr Stevenson and Mr DUBY, in that order, of their allocations. One would expect the decision to relate to salaries and conditions. Then there is a letter to members from the Clerk of the Assembly that says as follows:

7 August 1991

The new arrangements will take effect from 14 June 1991, and Members will need to adjust their staffing arrangements within the salary amounts allocated. I would be grateful if each Member could advise, in writing, ... the names of the staff each Member will be employing, and at what level each staff member is to be paid, in order that the necessary personnel details can be finalised.

Clearly, some of us had to put staff off, to adjust things. We received significant support from the ACT Administration in that sad process. Some of us are not through the process and it has impacted seriously on the earnings of people supporting a family. In my own office one of my two secretarial staff - one works part-time - has given \$80 of her fortnightly pay to adjust the salary of one other member of my staff who is contributing to the support of her family.

Mr Speaker, they are very difficult days for those staff, but the fact is that those salary caps effectively set the conditions and the salaries of the staff employed. That appears, on my reading of the Act, to come within the ambit of the requirement that such decisions not be conveyed by way of a somewhat informal letter to the Speaker but be properly determined, as did the Chief Minister in the former instance.

The document that has prompted this amending Bill set a salary allocation to "non-executive members". It gave the Speaker \$101,410; it gave the Leader of the Opposition \$146,268; and under a heading called, interestingly, "Leaders of Minor Parties" it gave, in this order, \$49,000 to Mr Moore, Mr Collaery, Mr Duby and Mr Stevenson. Then, under a heading called "Backbench Members", it gave \$42,000 to other members.

Mr Speaker, there are some serious issues raised by this document, not the least being that it has been recognised in the legislation of this Assembly, in section 4, that the Chief Minister:

... may, by writing, determine that having regard to the parliamentary duties of a member of the Assembly, the member ought to be empowered to employ staff under this Part.

Clearly, the heading "Leaders of Minor Parties" is a reference to the parliamentary duties of a member, and the Chief Minister has purported to equate the party led by Mr Moore to the party led by me. There is just the small difference there of two MLAs; but, of course, that has been brushed over. It goes on with other anomalies. Mr Speaker, the Chief Minister has given the same staffing capacity to me as the leader of the Rally, a credible political force in this community, as she has given to Mr Moore.

Mr Speaker, section 4 of the Act also indicates that a determination is required. This letter does not appear to fit the formal terms of a determination; but, on its face, it clearly is. We heard much from Mr Connolly, when he was in opposition, about the rights of the public to have this type of subordinate determinative decision making tabled for the information of the public so that they know just what we are up to in looking after ourselves. I now seek leave to table this document. If the Government is not going to, I seek leave to table what I regard as the determination.

Leave granted.

MR COLLAERY: Mr Speaker, I am tabling it so that the public can see it, not just the cosy fraternity of this Assembly. When the public see that, they will see that the leader of the Liberal Opposition or the Government Opposition, or whatever the term is these days, is wallowing in \$146,268 to lead three other members of the Assembly, excluding you, Mr Speaker. I exclude you from this debate, as a matter of propriety. You have your own funds. Mr Speaker, we believe that Mr Kaine leads three members of the Liberal Party. I lead two members of the Rally and I get \$49,000. It is a squalid reflection, Mr Speaker, on the priorities of the Labor Government that it would fully fund that situation.

Mr Speaker, the other issue that my Bill raises is that in the title "Leaders of Minor Parties" Ms Follett has elevated Mr Moore and Mr Stevenson to leading minor parties in the Assembly with parliamentary duties. Mr Speaker, they do not lead other MLAs. They do have registered political parties, but the whole function and character of this Act is to refer to extra parliamentary duties. I am shored up in that view by Mr Justice Mahoney of the very important Remuneration Tribunal. In his determination No. 22 of 1990 he said:

It may be that future circumstances will change -

that is, were the Rally to be out of government; we were in government at the time he made this determination -

such that the matter should be re-examined.

That relates to the provision of an extra salary to the leader of the Residents Rally. I do not seek an extra salary, Mr Speaker, and I do not know whether I would go ahead simply because I am in opposition and seek that extra salary. If I could and did get it, I would pass it on immediately to the good women who are assisting me, one of whom is supplementing the other's salary.

7 August 1991

Mr Speaker, these things happen under a socially just, allegedly, Labor administration. My Bill seeks simply to amend the Act, to the extent that I can, within powers, to require the Chief Minister, in making determinations, to treat members equally.

Mr Berry: This is about Bernard Collaery not being able to live up to promises to his staff.

MR COLLAERY: Mr Berry, that great social justice proponent, cannot see his way clear to do it. I regret the fact that we have to air this publicly and that it has to be done by way of legislation. It is being done by way of legislation because Mr Berry undertook, shortly after we went out of government, to have a review conducted. He even mentioned the name of someone. We find, on 14 June, the Chief Minister saying again that she will have a review conducted. Members have received no advice as to that review. We have not been contacted by anyone.

Several important weeks have passed and we are trying to prepare our work for the Assembly. The Rally has, as the public well knows, a long list of private members' legislation to bring forward for the rest of this sitting. It is important legislation in the public interest that the Labor Government will not bring forward, even though it is socially innovative. They know that it is pretty well on the drawing boards. They will not bring it in, in the hope that they will get back into power in February and get the credit for it. So, the community suffers.

The Rally was pushed out of government a day before the vitally important public corruption Bill was to be introduced. I was dismissed the day before. Mr Speaker, to the extent that the legislation allows us to introduce Bills that may involve money, those Bills will be proceeded with from this side of the house. So, it is very important to this Chief Minister, I suggest, to ensure that we are restricted from resources.

Mr Speaker, the Rally has been removed from every chair of this Assembly that it held. That is well known; no-one can deny it. Mr Stefaniak, that great custodian of anti-Labor sympathies, has nominated Mrs Grassby to one, and vice versa, and it went through the Assembly late one night and in days following. The major parties agreed to do that. The only chair we managed to hold was Ms Maher's, because we had Mr Stevenson's good support on the Social Policy Committee. The Labor Party having opposed his appointment to it initially, we managed to get the numbers and preserve one committee for the community. The others, all the salary caps and all the allowances that go with those committees, are held by the fraternity of this house, the Labor-Liberal coalition.

Mr Speaker, my Bill, which I really ask members to consider carefully before it comes back to the house next week, obliges the Chief Minister, any Chief Minister, to say that in making any arrangements or determining any conditions the Chief Minister approves the same arrangements and conditions in respect of each member because all members, all backbenchers, should be equal. Surely, if this is the fountain of democracy in the Territory, the place where equal treatment should start should be in this Assembly. The disgraceful treatment of the Rally since we have taken on the major parties will be now noted. I am pleased that, thanks to Mr Stevenson in a way, we have received a good audience. They can really know what goes on behind the walls of this Assembly.

Mr Speaker, I commend this Bill to the house. I thank the Parliamentary Counsel of the ACT for assisting me to draw this quickly in the public interest. I do hope that the major parties, who have the numbers in this game, will see how important it is to those of us who eschew the type of fraternity that blocks the public interest and will support this Bill.

Mr Moore: Mr Speaker, I think that Mr Collaery has presented an oversimplification.

MR SPEAKER: Just a moment, Mr Moore. My understanding is that, under the standing orders, debate on the Bill must be adjourned at this stage.

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

MEMBERS' STAFFING ENTITLEMENTS

MR BERRY (Minister for Health and Minister for Sport), by leave: There has been a reflection on my integrity by Mr Collaery, as there often is in his speeches. It is in relation to discussions about what particular parties should have as a result of the change of government. Members will all recall the outrageous demand, the log of claims, contained in a document which I think was described as the blueprint for stable government and which was circulated by the Residents Rally. Part of the discussions - - -

Mr Collaery: I take a point of order, Mr Speaker. This does not appear to be a personal explanation. It is private members' time and this will be a lengthy speech.

MR SPEAKER: Thank you for your observation, Mr Collaery. Unfortunately, it is a statement. No-one questioned the statement from the floor. Would you please proceed, Mr Berry.

7 August 1991

Mr Jensen: I raise a point of order, Mr Speaker. I understood that Mr Berry was seeking to make a personal explanation because he had been defamed.

MR SPEAKER: You are incorrect in your understanding, Mr Jensen. Please proceed, Mr Berry.

MR BERRY: I thank the Residents Rally for their leave to make this statement; it was most kind indeed. What I am disturbed about is that members of the community might be misled by some of the statements that have been made in respect of this matter. Very clearly, the Residents Rally set out to feather its nest and delivered promises to some of its employees which it could not live up to. It now seeks to blame somebody else if it is not able to provide the staff positions that it had previously promised.

There was no deal between the new Labor Government and the Residents Rally about the provision of staff. We have always been sympathetic to their complaints on the matter, and I have to say, Mr Speaker, that there have been many complaints from the Residents Rally. Nothing has changed.

Mr Collaery: You take the money off working mothers. Why shouldn't they complain?

Ms Follett: I raise a point of order. Mr Speaker, on the off-chance that that observation of Mr Collaery's might have made it into *Hansard*, I ask that he withdraw it.

Mr Collaery: What? May I address this point of order, Mr Speaker?

MR SPEAKER: Yes, Mr Collaery.

Mr Collaery: This Labor Government is showing extraordinary sensitivity on this issue. Guilt is written all over their faces. Mr Speaker, that is not an unparliamentary remark and it should not have to be withdrawn. It is a normal interjection. I have the support of Ms Maher and my other colleagues on this side of the house, where democracy still prevails.

Ms Follett: May I address the point of order, Mr Speaker? Mr Collaery interjected that Mr Berry had taken the money out of the hands of working mothers. That is simply untrue and it is a quite scurrilous statement. It ought to be withdrawn.

MR SPEAKER: I do not believe that it is unparliamentary. Your objection is overruled, Chief Minister. Please proceed, Mr Berry.

MR BERRY: Thank you, Mr Speaker. I might comment on that issue. How Mr Collaery arranges his staffing is a matter for Mr Collaery, not for anybody else. He has the salary cap. He has to arrange his own staffing levels. If he has to disappoint some of his own staff because he is unable to

manage his own office, that is his problem. It is nobody else's problem. He cannot blame anybody else in this Assembly. It is no good making promises you cannot live up to.

Mr Speaker, in all of this there has been a genuine effort to sort out the problems that Mr Collaery had raised. In the early stages of this Government there was a genuine attempt to sort out the positions for which Mr Collaery had put in a claim in relation to committees, and the same approach was taken in relation to other members. But, as usual, Mr Collaery did not play a straight bat on the negotiations and moved, of course, to try to secure the resources of the Leader of the Opposition for himself and his own party.

Ms Follett: As it was then - the "Whatever-it-was-called party".

MR BERRY: As it was then. A new party was formed - a new party that we have not heard about in this week's sitting; it has been forgotten - to secure the resources of the Leader of the Opposition for that party, and specifically the car for Mr Duby. Let us not forget all of those things. Mr Duby wanted Trevor's car. These are the sorts of things that are going on, and they have to be wheeled out up front. I am not going to have my integrity reflected upon by the sorts of people who would do these sorts of things in this place.

The next chapter in this arose after I had said, in debate on the first day of this new Government, that all bets were off. The first thing that happened was another approach about Mr Collaery's staff. That has been going on and on, and we have been trying to address the issues as they arise. The latest issue has been a complaint that he needed to have an ASO6 to assist him as a research person because he had far too much work to do by himself. Other members managed to do it whilst they were in opposition, but Mr Collaery does not seem to be able to do it.

The real problem arose when we attempted to negotiate a review. Yes, it has been said that a review would be conducted; but, when you do not know what the other side is doing, it is very difficult to proceed with a review and lay all the cards on the table. So, I must say that I have been quite reluctant to deal with the Residents Rally because they have been unreliable. I have to say that in the last day or so they have proved it again. They served a demand on the Government to provide them with extra staff, gave us a deadline of 2.30 pm yesterday, and approached the Chief Minister on this question.

The Chief Minister advised them that if they wanted an answer yesterday on the issue of more staff resources for themselves the answer would be no; otherwise they could agree to a review. Yesterday they agreed to a review. Today they want the Assembly to decide it.

7 August 1991

MR COLLAERY: Mr Speaker, under standing order 46 I seek leave to correct - - -

MR SPEAKER: Do you claim to have been misrepresented?

MR COLLAERY: Yes.

MR SPEAKER: Please proceed.

MR COLLAERY: Mr Speaker, there was a suggestion that the Rally gave an ultimatum yesterday. In my earlier speech I indicated that the day after the Government fell Mr Berry said that a person named John - I will not use the rest of his name - was being appointed to review the matter immediately. In conversation with Mr Jensen, a time period of a month was mentioned. We do not even know yet whether that person has been appointed.

Mr Berry: He has not been. I told you that all bets were off.

MR COLLAERY: There we are, Mr Speaker. Interjecting, Mr Berry says that all bets are off. So, the fact remains that I cannot even get back to the staffing level I had when I was formerly in opposition. The Labor Party has done a good job on the Rally. It is not correct and it misrepresents the position to state that the Rally was equivocating and was bargaining for its own interests, for its own comfort in the matter. Mr Berry will be proven incorrect in due course, when this debate resumes.

SECONDARY EDUCATION IN WESTON CREEK

MRS NOLAN (11.16): I move:

That this Assembly -

- (1) notes that the majority of parents and citizens in the Weston Creek area support an amalgamation of the Holder campus and Waramanga campus onto one site;
- (2) condemns the Follett Government for its failure to listen and accede to the community's wishes for that amalgamation to be completed by the start of the school year 1991;
- (3) and further condemns the Follett Government for its failure to provide funds immediately to refurbish and consolidate the Stromlo High School campus for the start of 1992; and
- (4) calls on the Follett Government to announce immediately its plans for secondary students in Weston Creek.

It is quite amazing that the school communities in Lyons and Cook and Waramanga and Holder have been treated so differently. Cook and Lyons put up their hands, screamed out and said, "We want to be consulted; listen to what we have to say", and we have the schools opened. Waramanga and Holder - I will go into some detail in a few moments - have had several meetings; they have worked towards an amalgamation for quite some time; they have passed lots of motions at the meetings that were held, which represented the majority of the education community in the Weston Creek area; and they have not been listened to. That is the very important issue.

I think the Labor Party has decided that consultation with the school community in Weston Creek is not important any more. They now say that party policy is the all-important issue. I would like to quote the Chief Minister's words in her budget strategy statement, because again we go back to the party policy that was formulated in 1989:

Prior to the ... election the Australian Labor Party gave a commitment that it would not close any schools during the term of the first Assembly. Consistent with this undertaking there will be no acceleration of the consolidation of the Stromlo High School campuses ...

That says to me that it is still going to happen; but it is not going to happen at the beginning of 1992, it is going to happen at the beginning of 1993. Consequently, we are going to have students, parents and teachers severely disadvantaged. It is obvious, as I have said, that high school students in Weston Creek are not important in this Government decision; it reflects a policy decision taken early in 1989.

The Government is forgetting that a steering committee, made up of representatives from both Holder and Weston Creek high schools and including parents, students, staff and administrators, was established to facilitate the amalgamation, along with the joint school board. Throughout the formative process of amalgamation the Weston Creek school community, again through the staff, the students and the parents, were kept up to date on proceedings and at all times had opportunities to air their views or be involved in the decision making process. Amalgamation bulletins and newsletters were distributed to the community in the Weston Creek area, giving adequate notice of forthcoming meetings which the public were welcome to attend.

With amalgamation came the need for a new school name. "Stromlo High" was the result of two surveys and consultation with all the people concerned. The steering committee sent out bulletins and parents and students came up with the name "Stromlo". Again, that was a pretty good consultation process.

7 August 1991

The Follett Government is forgetting that since term four in 1990 both school communities have been working towards full amalgamation in 1992. During that time Stromlo High, referred to as the Waramanga campus, and Holder High, now referred to as the Holder campus, have been working on a combined curriculum where staff and students operated out of both campuses. The transition to a one-campus operation is essential and it must happen in 1992. The funding must be included in this year's capital works program, not next year's.

The planned amalgamation of the two schools onto one campus has been discussed and debated at two public meetings held by the Stromlo Parents and Citizens Association, one on 15 May and one on 24 July. My information from these meetings is that, of those who attended, approximately 90 per cent at the first meeting and 95 per cent at the second meeting supported the amalgamation move. There can be no argument from the Government or the community that sufficient opportunity was not given for people to attend those meetings and voice their opinions. The Stromlo High School Board sent out to all students in government schools in the Weston Creek area a copy of their amalgamation bulletin No. 3 prior to the 15 May meeting. Looked at in terms of wide consultation, that distribution represents approximately 2,000 students.

A letter conveying the outcome of the 24 July meeting was sent to the Chief Minister, and again I think it is appropriate that I read that letter. It is dated 25 July and is from Stephen Mitchell, the president of the Stromlo High School Parents and Citizens Association. It reads:

Dear Rosemary,

I write to you on behalf of the Stromlo High School community, and wish to advise that, at the monthly meeting held last night, the decision of your Government to not recognise our community's overwhelming desire to have the Holder Campus moved to the Waramanga Campus at the end of 1991, was deplored, and the following motion was passed by an overwhelming majority:

This Meeting endorses the proposals agreed to at the public meeting of 15th May, 1991, and the conditions included in those proposals, and calls upon the Chief Minister, and the Minister for Education, to state publicly at a Special General Meeting of the Stromlo High School Parents and Citizens Association, WITHIN SEVEN (7) DAYS, why the Government cannot implement the said proposals.

I would be pleased if you could advise which night will be suitable to yourself, and your Minister, so that the necessary information can be sent home to all parents of both Campuses, and to the parents of Year 5 and 6 students of our feeder Primary Schools.

The meeting was also adamant that the S.H.S. Parents and Citizens Association is the only forum in which the Weston Creek Community should publicly discuss the fate, and structure, of OUR HIGH SCHOOL.

So, the consultation process, which the Labor Government supposedly supports vehemently, has taken place. The majority of the education community have given their support for the amalgamation to proceed. They obviously feel that it is best for the education of their children to have the Waramanga campus up and operating as one school, Stromlo, as soon as possible - that being the beginning of the 1992 school year.

Why is it that the Follett Government cannot grasp the community's concerns in this matter in the same way that they did for the few at Cook and Lyons? In all of this we are talking about the best possible education for students. It is unfortunate that the meeting that was called on Monday, 29 July, was attended by many people who were not from the local area. In fact, in the audience there were several people from both the Cook and Lyons communities and many elderly people who obviously no longer have children in the education system.

The vote of 116 to 97 taken that night - I have to say that that is hardly an overwhelming majority - really reflects a lack of understanding. The vote was, "Forget the amalgamation; now we want to keep Holder High open and we want to keep it open for five years". What if there are no students attending Holder High in four years' time? Does it matter if the students have limited curricula? The projected enrolment figures for students at Holder High in 1992 alone speak volumes. With year 7 student enrolments likely to be approximately 40 and year 8 only 75, the education program at the school becomes difficult to maintain, particularly in the specialised areas such as language other than English, physical education, possibly technology and the arts.

With enrolments decreasing at Holder, especially in year 7 and year 8, it becomes increasingly difficult for adequate specialist staffing levels to be maintained. This could have an effect on the elective program for years 9 and 10 - the most important years our children face in education. Some of the programs that could be affected include things such as agriculture, woodwork, music, outdoor education - who knows? We really do not know. We can foresee that the quality standard of education at Holder will have to be put at risk as enrolments decline.

7 August 1991

The continued use of two campuses for another year up to 1993 will create further problems amongst students and staff as they continue to operate between the two schools in 1992. Given that the Holder campus population will be 412 in years 7 to 10 and 386 in years 8 to 10, a lot of people may take their children out of the campus altogether. There may well be eight to 10 fewer teaching staff on the Holder campus. Despite this, nearly all the functions carried out by the staff in 1991 will need to continue in 1992. This has to place an increased workload on all the staff at the Holder campus. Combine this with the fact that some of those teachers will need to teach across campuses in order to maintain specialist programs, and a highly stressful environment emerges.

It is imperative that funding be approved by the Follett Government for consolidating the Waramanga campus from the start of the 1992 school year. The expected total enrolments for 1992 - approximately 1,100 - will decrease within a couple of years. I understand that the figure talked about now is 960 in two years' time. The school was originally built to contain more than 1,100. Specialist areas - for example, science, technology, arts, textiles, et cetera - are already sufficient for the number of students. I have had a look over the Stromlo High campus and there is not a lot of work that needs to be done. It still could be done prior to the beginning of 1992, but it must be done to make sure that students in the Weston Creek area have the very best possible education. As to the required funding for all of this, we are talking about approximately \$2m. It must be more cost-effective for this funding to be granted now and not for the start of the 1993 year, as by then more money would be necessary for the same result.

I consider that the attitude of the Follett Government towards education in the Weston Creek area has shown a clear lack of concern, a clear lack of interest in proper consultation with the appropriate people - the school community. The Government was happy to listen to the Cook and Lyons school communities. Why not Holder, Waramanga, the Weston Creek school community? The Minister has on many occasions stated that it was essential for the Lyons and Cook school communities to have a decision taken quickly, and that is the path the Government followed. Now they will not give the Weston Creek school community a quick decision.

The second motion passed at the recent public meeting, which, incidentally, was organised by a member of the Labor Party, stated that if the school cannot stay open for five years - and no-one can give that guarantee - then the amalgamation must happen quickly and at the beginning of 1992. Why the procrastination? To be fair to the students - after all, they are the ones to whom consideration should be given; perhaps the Minister and his Government have forgotten that - it is essential that the

Follett Government announce immediately its plans for secondary students in the Weston Creek area which will enable those students to have the best quality education with a broad-based curriculum. I call on the Assembly to support this motion and, unlike the Minister and the Labor Government, to give consideration to the Weston Creek students and the school community.

MR WOOD (Minister for Education and the Arts and Minister for the Environment, Land and Planning) (11.29): Mr Speaker, I am amazed that we have allegations here that the ALP Government is not listening to the community. That is what this motion says, and to hear it coming from these people, and specifically the Liberal Party, is truly astounding. It was the Liberals and their Minister, Gary Humphries, who announced some considerable time ago that we were going to close up to a quarter of our schools and we were going to do that - the "we" being Mr Humphries - without consultation with the community.

Ultimately you had that debate, that consultation, forced on you, as I said you would; but it was your intention to do all that mammoth restructuring without attending to what the community wanted. Now we are being criticised because we are listening to the community. That is exactly what we are doing. We have been in government now for something like two months and in that period, not to mention the period before, we have been attending to what that community is saying.

Mr Humphries: What is it saying?

MR WOOD: I will tell you what it is saying. It is a little difficult to ascertain what is being said. Part of the problem, of course, is that the Follett Government has to clean up the mess you people created. You talked about the disturbance in Weston Creek. It is suffering now, along with other schools in our community, because of the rushed decisions and the poor consultation that were part of your administration. We have to turn around now and clean it up. In August last year - just a year ago - after Mr Humphries' rushed decision there was a large meeting at Weston Creek which some 500 people attended. What did that meeting say? The meeting said that the amalgamation was too hasty, and they passed motions that are recorded in the newspaper report.

Mr Humphries: But who are "they"?

MR WOOD: Some 500 people.

Mr Humphries: Are they parents of school children?

MR WOOD: We do have support in Weston Creek, but not to the tune of 500 people that we could turn out at a meeting, I can tell you. I wish it were the case. This was a meeting of community people. I was not able to get to the meeting that night, but 500 people turned out to criticise what you were doing as being too hasty.

7 August 1991

Mr Humphries: When was that?

MR WOOD: That meeting was on 15 August last year.

Mr Humphries: They have changed their minds since then.

MR WOOD: Yes, indeed, they have. There has been some moderation of the view since then; that I do not deny. What the Follett Government has done is to go back to a sensible timeframe.

Mr Humphries: That is not what the community wants.

MR WOOD: You have to sustain your arguments. The Cabinet has decided, as Mrs Nolan quoted, that there shall be no acceleration of the consolidation, and that is an eminently sensible decision. Why, I wonder, did Mr Humphries suddenly accelerate that process? Here we had a large part of the community saying, "This is too quick, Minister". But Mr Humphries accelerated the process, and he did it, quite simply, to get it off the election agenda for February next year, so that it was all signed, sealed and delivered before that. He did not want it around then. Now the community view has moderated, and I do not disclaim that there is a strong element in Weston Creek that says, "Yes, let us proceed with this".

Mr Humphries: And that was what I responded to.

MR WOOD: I will come to that. You applied a sweetener to the process. You said, "We will offer you \$2m and we will do this, that and everything else". But part of that process - and this points to the nonsense of your decision - was to put in, I think, seven transportable classrooms in one year to accommodate the overcrowding and then in the next year to pull most of them out again as the numbers diminished.

Mr Duby: That is the whole point of temporary classrooms. They are temporary.

MR WOOD: Yes. There was no requirement to do that so rapidly. We could well have had the consolidation proceeding in 1993 without that number of demountables. Think of the money that could have been saved as a result. That was part of the sweetening that went on to get it off the agenda.

Mr Humphries: They asked for them.

MR WOOD: Yes, I do not question that; but does putting in demountables one year to cater for the overcrowding and pulling them out the next year, when you have a perfectly good campus that could take those students, sound like good government? Is that good decision making? I make it quite clear that it is not. The Labor Party is listening to the community.

Ms Maher: The community wants the amalgamation.

MR WOOD: I am quite interested to hear the interjections, but I will make this point. We are going back to listen to the community.

Mr Duby: Is that a promise?

MR WOOD: Yes, indeed. This meeting a year ago started the process of saying, "Hang on, we are not convinced about what you are doing". From that time, or before, I have been attending to the debate and I have heard those who now support the amalgamation. Let me make it clear that I acknowledge that in that community there is a significant measure of support for amalgamation. There is no question about that. The question is: How significant, how large, is that measure of support?

Mr Humphries: Very large in the school community.

MR WOOD: I tell you that you do not know; nobody knows just how that measure of support meets up with what the whole community believes, and we have to find that out. I have been to each of the campuses; I have moved around. I heard a variety of views. Let me say that the majority view expressed on the campus, with lots of reservations and qualifications, was, "We are going down this path; let us carry on".

Mr Humphries: "And we want to do so from the beginning of 1992".

MR WOOD: I have been listening to other people who say, "Let us reopen Holder" or "Let us see what we want in this area". We went to the meeting the other night that some of you attended. Are you trying to tell me that there is not a significant measure of support there to reopen Holder High School? There certainly is.

Ms Maher: Not from the school community. They came from all over the place. They came from Cook.

MR WOOD: There is support from a significant number of the people in that community, and I would argue at this stage that, as I interpret what is happening, it is at least as significant as, if not more significant than, the calls you hear. You do not hear other calls. You are not going anywhere near deeply enough into Weston Creek to know what they are saying.

Mr Kaine: When did you do that?

MR WOOD: I have been doing that constantly for a year now. I have been attending very carefully to what is being said. There is simply no way you can sustain the statement in this motion that the majority of parents in the community want the amalgamation to proceed. You cannot say that,

7 August 1991

because you do not have the evidence to say that. There are some letters you have, that I also have, that indicate support for the amalgamation; but you cannot claim that that represents the majority view in Weston Creek.

Mr Kaine: Did you have a majority view in Cook and Lyons? You asked the school community; that is who you asked.

MR WOOD: I think the situation was very clearly established there. The situation in Weston Creek is such that I have to go through a most careful process to see what the community wants. I need to go to them and give them a clear statement of the circumstances and listen to what they have to say. I have to attend most carefully to the wishes of those people who have children in the respective high schools. That process I will do, because it is important. I cannot predict at this stage what the outcome of that will be, because I am going to engage in close consultation with that community.

Mrs Nolan: How long will it take?

MR WOOD: At that stage, on my documentation of it, I will be in a position to say what the majority of parents want. You certainly cannot say that at this stage, because you have not the level of consultation with the community that enables you to say that.

I note the questions raised about when we will do this. It is certainly the case that schools need to know fairly well in advance what is happening. I understand that it had been programmed for quite a long time that the traditional meeting of year 6s to plan the courses they will study next year was to be held later this month. I understand the timeframe in this; but I can assure the Assembly, as I would assure the people of Weston Creek, that we will attend to their needs, we will listen to what they say, and we will be sure that the decision the Government makes is soundly based. It will not be simply a rush to prevent this emerging as an election issue; we will be honest about what we will do. The decision will be based on a careful exposition of the issues and close and detailed consultation with the community. We will do it very soundly so that the decisions that are ultimately made will be accepted in the community.

Finally, I share with Mrs Nolan the view that since there is to be a debate about these matters it should be done without bitterness. I believe that it is quite possible, as we discuss the future of our students, to do it objectively. We do not need to be impassioned about it. We should do it without acrimony, so that there is no unnecessary heat. With the conditions I have laid out, with the promise of close consultation as rapidly as possible, I believe that we can reach a decision that is in the best interests of that community and in accord with the wishes of that community.

Motion (by **Dr Kinloch**) put:

That the debate be now adjourned.

The Assembly voted -

AYES, 4

Mr Collaery
Mr Jensen
Dr Kinloch
Mr Stevenson

NOES, 13

Mr Berry
Mr Connolly
Mr Duby
Ms Follett
Mrs Grassby
Mr Humphries
Mr Kaine
Ms Maher
Mr Moore
Mrs Nolan
Mr Prowse
Mr Stefaniak
Mr Wood

Question so resolved in the negative.

DR KINLOCH (11.47): I come now to address the question of the Weston Creek area, the Stromlo school and so forth. One reason I was anxious not to proceed at this stage is that I would like to do the very thing Mr Wood is talking about. I do not believe that there has yet been sufficient community input. There has been a lot of community input; but, frankly, I am confused about it.

Mr Kaine: You are always confused, Hector; that is nothing new.

DR KINLOCH: I heard noises in the background. Could we have the machines adjusted so that we do not have these noises in the background? I would appreciate it.

Mr Moore: They are normal interjections.

DR KINLOCH: I heard other noises over here. I will just speak louder over the noises, which I completely reject.

The Rally has received information from one group that would seem to suggest that the community would like to go ahead with an amalgamated school as soon as possible. We have information from another group with a slight majority vote that they would not like that amalgamation to go ahead as soon as possible. So, I think it fair to say that at the moment it is not yet clear how the community stands.

I would like here and now to call on all sides in this matter to have yet another meeting at which this can be fully debated. At the moment the matter is unclear. Mrs Nolan's motion puts one point of view; Mr Wood puts another point of view. I think Mr Wood puts it in a more balanced way. Clearly, we are not yet in a position to know what

7 August 1991

the best answer is. Members of the Rally wish to know the real truth of the matter about the community, and I am anxious that such a meeting be held. I hope it can be held on a weekend, at a time when all members of this Assembly can be there. I very much regret that I was not invited to the previous meeting at which this was discussed. Even if I had been invited, it was called at very short notice and I already had another engagement that night.

On behalf of the Rally, I am saying that the information is not yet clear. We await better information. I want to hear more from the Education Department, more from the Minister for Education, more from the P and Cs. At that point, I think it will be legitimate for us to make a decision.

MR HUMPHRIES (11.50): Mr Speaker, I think it would be worth stating briefly the chronology of events in this matter.

Mr Wood: It was a rush decision by the Alliance Government.

MR HUMPHRIES: I think Mr Wood will understand, when he hears this recounting of the facts, that considerable consultation with the community was going on all the time, as a result of which the Alliance Government modified its decisions on several occasions, and I will run through those now. The Alliance decided in the course of last year to amalgamate the Weston Creek High School and the Holder High School and to close the Holder campus of that amalgamated school. From memory, I think our original decision was to close it from the end of 1991.

We had extensive consultations with the communities concerned after that decision was announced. In response to that consultation, it was agreed that the Holder campus should not close as early as that; that the community's desire for a longer timeframe should be respected. As my colleagues will know, in the Alliance joint party room the decision ultimately was made to leave the Holder campus open until consolidation of the two campuses could be comfortably achieved. We said quite clearly that that would not occur until all the students could be accommodated on the one campus, without any need for demountable classrooms.

That was our second modified decision based on consultation with the community. It was obviously very clearly and widely accepted by both the school community and the Alliance Government at that time. Incidentally, the Alliance figures indicated that there would not be able to be a consolidation onto the one campus until 1994. I have those projected figures here and I am happy to table them later on.

A rather interesting thing then happened in the early part of this year. The leaders of the Stromlo High School community approached me as Minister for Education and said, "We believe that it would be in the best interests of the school community - and we speak for our school community in this matter - if that consolidation onto one campus occurred sooner rather than later. In fact, our school community" - and they said that very clearly - "would like that to occur at the end of the 1991 year". That is, from the beginning of 1992 there would be one consolidated campus on the site of the present Waramanga campus of that school. That is what they said to me, without any shadow of ambiguity or doubt. What they said to me also was that they would like that to happen in such a way that the infrastructure would be created to facilitate that occurring.

Now, why did they ask for that to happen? The reason is quite clear. They saw the way ahead. They saw that with the two-campus school there would be continuing uncertainty and problems which would be overcome only by having one campus at the first possible opportunity.

Mr Berry: A possible change of government in 1992.

MR HUMPHRIES: Mr Berry indicates that he thinks the leaders of the Stromlo High School are puppets of the Alliance Government or the Liberal Party. That is rubbish. Those people came to us because they wanted their school consolidated for reasons to do with education at that school. I suggest that, before you mouth off about what their motives were, you go and talk to those people, as you obviously have not done up until now.

Those genuinely elected people from the community wanted that amalgamation to happen soon. They saw what would happen if they did not have that amalgamation. They saw the dislocation to the school community. They saw the difficulty in students having to travel between the two campuses to undertake courses that might be available at only one of the two campuses. They saw the difficulties for teachers. Mr Wood said that the Labor Government's job on taking office was to clear up the Alliance Government's mess. The fact is that the community of Stromlo High wanted the Alliance's mess - as Mr Wood put it - to be accelerated, not to be delayed. That was the clear view of the school community.

We had to face the question of what the costs would be, and in question time yesterday Mr Wood or someone else on that side made some remarks about the costs of undertaking that amalgamation early. I shall quote from a paper I am going to table in a moment - it was a briefing paper to me as Minister; it is not dated, but I believe that it was in May this year - which indicated what those costs would be. We were clearly looking at some \$1.5m in refurbishment work

7 August 1991

for the Stromlo High School, particularly at the Waramanga campus of that school. It is a mistake to assume that all of that work related directly to the early amalgamation of those two campuses. It did not.

Attached to this document is a very succinct categorisation of the costs associated with the amalgamation of the school. It shows a total of some \$280,000 of works under the category "Works necessary to cope with increased enrolment", that is, to bring forward the amalgamation or consolidation of that school site. That is \$280,000 of the \$1.5m. The rest of that \$1.5m is under the heading "Refurbishment works to better utilise existing spaces which have been brought forward" - not created or made necessary but brought forward - "considered necessary for the school to operate efficiently".

In other words, approximately \$1m worth of work was necessary in any case to make the Waramanga campus of the Stromlo High School operate efficiently. That included things such as a science laboratory upgrade, technology areas upgrade, upgraded fit-out of the computer rooms, canteen area general upgrade, additional and upgraded classroom spaces, et cetera. Those things were required, and will still be required, to make that school operate efficiently.

Mr DUBY: It does not matter how many children go there.

MR HUMPHRIES: Exactly. That \$1m will have to be spent by this Government, if it is in office long enough, when the students come over to the school, whenever it might be.

Mr DUBY: Or whether they come or not.

MR HUMPHRIES: Whether they come or not; indeed. So, it is quite false and misleading to say to the community and to this Assembly that that \$1.5m was created by having to have an early amalgamation of those two campuses. There was, as the Opposition Leader reminds me, an initial allocation in our capital works program of \$950,000 in 1991-92 for those capital works to go ahead. We acknowledged that; we put it in our capital works program and it was there. It was removed by this Follett Labor Government - - -

Mr Kaine: Already.

MR HUMPHRIES: It has been removed already by the Follett Labor Government because it was just too hard to make that decision.

Mr Kaine: They have anticipated the outcome of community consultation.

MR HUMPHRIES: That is the point, of course. The people opposite say that they want to consult with the community about what should happen to the Stromlo High School, but they have already made the decision. They have taken that

\$950,000 out of the capital works program. They do not care what the consultation produces; they have made up their minds. There is not going to be any early amalgamation of the Stromlo High School, notwithstanding what the school community want. That is outrageous.

Labor cannot comprehend the fact that there are actually people out there in the community who see some value in a school consolidation - and they do see that value. Mr Wood was pretty shocked, I think, to discover that there are people who actually agree with what the Alliance Government was doing. In fact, they came to us and asked us to accelerate what we were doing, because it was important to their school community.

Let us go over this question of what the school community actually wants. That community was solid in the view that the consolidation should come forward, and it was not just the Weston campus. I asked the school leaders who came to speak to me, "Are you speaking just for the Weston campus, not for the Holder campus?". The person who answered me was the former chairman of the Holder High School P and C, who said to me, "I speak on behalf of my school community at Holder. We believe that we should go ahead as we have asked you".

To test that level of support, direct polling was done of the parents and teachers at those two campuses. That was not exhaustive in the sense that every person was required to give an answer, but everybody's view was solicited. The vast majority of responses to that polling said, "We want the thing to proceed quickly, that is, at the end of 1991". That was the direct view expressed by members of the school community. Who else should be asked in these circumstances? Ring-ins from other parts of Canberra? I do not think so. As far as I am concerned, the school community has spoken quite clearly and we, as an Assembly of this Territory, ought to acknowledge that desire by the school community and get on with the business of carrying it out.

Mr Wood thought he was defusing this issue by deferring the matter; in fact, he has ignited it. The school community deserves better than that. On this occasion it is we on this side of the chamber who are listening to the school community and Labor who are ignoring it. That should be put right as soon as possible.

MR DUBY (12.00): Mr Speaker, my remarks on this matter will be brief. I endorse the statements made by Mr Humphries in his very erudite speech. There is no question about the fact that the people of Weston Creek want this amalgamation to go ahead.

Mr Wood: Which people?

7 August 1991

MR DUBY: The people I am referring to are the parents and citizens involved with the two high schools in question. As Mr Humphries said, the arrangements we put in place to amalgamate as of the start of the 1992 school year were at the specific request of that community. In addition, all through this year, in terms of the parents and citizens bulletin that goes out to the students at all the schools and to the feeder schools for those high schools, all the parents have been involved.

There have been numerous meetings. Meetings were held on 8 May and on 24 July and a special meeting for the whole community was held on 15 May. On each occasion the proposal was overwhelmingly endorsed. Each of those meetings was open to the public and advice on all meetings was provided via newsletters and special notices sent home with the schoolchildren. Advice regarding the 15 May meeting was sent to each of the feeder schools in the area. The result of those meetings was also reflected in the schools' newsletters. On all of those occasions the meetings have overwhelmingly asked that the amalgamation proceed and that it proceed quickly - in other words, at the start of the 1992 school year.

What do we have as a result of the change in government? We have this Labor ideology that anything that involves changing the sacred cow of the Canberra school system somehow has to be resisted. It is really remarkable. If you were looking down at Canberra from above, you would imagine that the supposed conservative side was the Labor side. They are the ones who want to keep everything just the way it is, who do not want to change. They do not want to change anything for the better. Not only that, they are also going back to some of the bad old practices, as we have seen with the Ainslie tip.

More to the point, though, is the difficulty that the people of Weston Creek are finding. Perhaps they can understand that, whilst their wish is to have the amalgamation start in 1992, it will not be proceeded with by the Government. They can understand that maybe it will start at the beginning of 1993. But the most important thing, Mr Berry and Mr Wood, is that they need to know with certainty when this amalgamation will occur. The demographic figures indicate that an amalgamation is inevitable. People can see that. We have the charts which indicate that the school population of Weston Creek is continually declining and that an amalgamation at some stage is going to have to be entered into. Why can you not provide people with certainty as to when it will happen so that they can plan for their children who are currently in grade 6, grade 5, et cetera?

The simple fact is that people need to know. People like certainty. When will this Government do a bit of governing? When will they let the people know what their plans are? We have already seen examples of this: The Government have not the guts to declare, for example,

that section 19 will not be a casino site. When are you going to simply say, "This is what we are going to do and this is when we are going to do it", and let people get on and plan their lives around responsible, or even irresponsible, Government decisions? People want to know what is happening, and that is the important point that needs to be made. I think it is foolish for you, first of all, not to go ahead with the amalgamation of the school from the start of the 1992 year. That is my opinion; you might have a different one. The school community want the amalgamation to go ahead, but the point is that the school community also want to know what their future entails. They need to be given that information and given it quickly.

MR MOORE (12.04): I think we should clarify a few statements. We are not talking about amalgamation; we are talking about the closure of Holder High School. What you were talking about in the initial instance when you made your decision was the closure of the Holder High School and presenting it as an amalgamation of two schools. Mr Humphries just a few minutes ago said, "We made the decision on that closure, then we consulted". That is the sort of mistake you have been making all the way along. That is exactly the problem we are dealing with. You made that mistake. It was made particularly by the most divisive Minister we have seen or are likely to see, the Minister who has had the most divisive effect on this community, Gary Humphries. That divisive Minister made the decision to go ahead and close those schools.

Mrs Nolan's first point notes that the majority of parents and citizens in the Weston Creek area support an amalgamation of the Holder campus and the Waramanga campus on one site. They did that because they could see no hope. They did that before there was a change of government. Mrs Nolan referred again and again to these meetings that occurred prior to the change of government. There has been only one meeting since that change of government, and that was on 29 July. That is the one that nobody from the Rally attended and that is why they now want to have more meetings.

Dr Kinloch: Because we were not asked.

MR MOORE: If they were not asked, that reflects more than anything on their ability as a community party and their role in allowing schools to close before they got booted out of the Alliance Government.

The reality is that at that meeting a very narrow majority voted for it. As I remember, it was 110 to 96, or something along those lines. Mrs Nolan points out that at that meeting there were a large number of people from out of the area. That is quite correct. I estimate that there were somewhere between 300 and 500 people at that meeting, but only about 200 of those people voted. I was one of the people counting the votes, as was Mr Kaine's senior private secretary, Greg Cornwell. It was quite clear to me at the

7 August 1991

time I was counting that not all the people were voting, because many recognised that they were not part of that community. Mrs Nolan sits there with an incredulous look - - -

Mrs Nolan: It is true that some people did not vote, but a lot voted that were from out of the area.

MR MOORE: Thank you for your interjection. "It is true", was the interjection, "that some people did not vote". She will remember that the hall was absolutely full. There were people standing all around the back. It was obviously holding far more than 200 people.

This debate is about ensuring the best possible education for the people of Weston Creek. In that sense, Mrs Nolan and the Liberal members and I and Mr Wood are at one. That is what we are on about. Unfortunately, some members seem to have been swayed to the view that the best possible education can be gained by the biggest possible school because that gives curriculum options. Think back to your own days in school or, for those who were teachers, to your own teaching. Who were the best teachers? The best teachers were those whose priority was to teach the students rather than to teach the subject.

Yet what we have in this sort of argument time and again is the notion that the wider choice of curriculum options is what is going to make a better school. I have been fortunate enough to experience teaching in schools of 3,000, 1,500, down to 450. And the nicest schools to teach in, without a doubt, the ones with the best atmosphere, the ones where the students felt at home, were the smaller schools.

Mr Humphries: Not all teachers agree with that view.

MR MOORE: Not all teachers agree with me - I accept the point made by Mr Humphries - and not all teachers put as their priority teaching the students. Those who have experienced schools and have walked around them know that there are always teachers whose priority is teaching the subject. Let me say that one of the great joys of teaching in the Canberra system is that that is rarely the case here. But the bigger the school, the more the push is towards doing that and the more impersonal the nature of the school. In this whole debate we have rarely heard from the Education Department or from the ministry about the benefits of small schools. Often we hear about the benefits of large schools, but very rarely about the benefits of small schools. They do exist.

I would like to move now to the way we determine how the community is involved. Having the community involved at that public meeting was a very interesting exercise. Suddenly there was a possibility, suddenly there was hope, that the Alliance Government decision, made without consultation, to close Holder High School, which the ex-

Minister has just admitted, was not a fait accompli. The Labor Government came in and they opened Cook Primary School and Lyons Primary School - not at the wish of the Belconnen area, not at the wish of the Woden area, but at the wish of those individual school communities.

If you apply the same logic to Holder High School, you would take the intake area of Holder High School and give that priority. A high school is different from a primary school. A primary school is part of the neighbourhood plan. I agree that it is not appropriate to accept just that argument for Holder High School. But it is important to weight the opinion of those around Holder High School much more heavily than the opinion of the whole community. The reality is that people at Waramanga, who have a high school close to them, are not going to be interested in whether Holder High School opens or closes, except in some way that they may perceive it benefits them.

Whatever the case is, it is also important to look at what those schools offered and what people believe they offered. One of the great joys of being at that meeting was to listen to people singing the praises of their schools - the amalgamated Stromlo High School and the Holder High School. The sad part was the divisiveness that was brought about by that Minister and the support given to him by all members of the Alliance Government.

Mr Duby: And the Weston Creek community.

MR MOORE: The interjection said, "And the Weston Creek community". Mr Duby's understanding of the Weston Creek community and the understanding of the Minister, as he put it, of the Weston Creek community has been questioned by the results of that meeting of 29 July, which was attended by so many people from the community.

Mr Humphries: What about the poll of the people in the school?

MR MOORE: I accept what Mr Humphries is saying about the fact that the amalgamated Stromlo High School P and C approached them and were looking for a solution. Had he had exactly the same approach from Macquarie school, which had taken in Cook, he would have got the same results, and similarly with Curtin. We know that. We know that some of the Holder people were involved. They had accepted, and they realised that they could not do anything, because you had made them powerless. Suddenly, they felt empowered; that is the difference.

Mr Wood has a responsibility now to find out just what the community is thinking. Because that meeting indicated such a divided response, he needs to go out and talk further to people in the Holder High School intake area and get their opinion. Whatever the result, the decision - and this is

7 August 1991

where I agree with Mr DUBY - needs to be made quickly so that the divisiveness that was started by that Minister and by the Alliance Government continues for as short a time as possible.

MR COLLAERY (12.14): As my colleague Dr Kinloch points out, this motion of Mrs Nolan's was somewhat premature. Worse still, it took off the agenda an important issue that brought a large number of people to this Assembly. We did no good service to the Assembly by playing this game this morning and knocking out Mr Stevenson's debate.

Mr Jensen: We are not on the Administration and Procedures Committee. We do not have a vote on the committee any more.

MR COLLAERY: We have also been excluded from that committee as well. The fact of the matter is that you knew last night, when you put Mrs Nolan's motion on, that you would knock out Dennis' debate. His debate would have continued for days; you know it.

Mrs Grassby: I am the representative of the Government on that committee and I voted against Mrs Nolan's motion. I would like that to be known now. Mrs Nolan convinced the rest of the committee that her motion was very important. I will not have that said.

MR COLLAERY: Mr Speaker, I withdraw unreservedly any suggestion that Mrs Grassby was party to Mrs Nolan's motion. This motion is premature. As I understand it and as the background will show, there is a move in the Weston Creek area by one Kevin Gill, among others, a former preselected Labor candidate, to establish a Weston Creek community council. The Liberal Party and the Labor Party are very interested in this topic because they want to get involved in establishing a Weston Creek council, so the school becomes a battleground between the duopoly again.

The fact is that, when Mr David Knox telephoned me and told me of the disgust which the parents and citizens have for the major parties' gamesmanship over this issue, I said to him, "The Rally will not attend that meeting because it will be a divisive vote".

Mr Moore: Hector said that he did not know about it. Hector said that you were not invited. Who is misleading the Assembly?

MR COLLAERY: Dr Kinloch was not invited. Mr David Knox spoke to me. Mr David Knox is a long-term personal acquaintance of mine. He rang me, and Dr Kinloch was nowhere near. Dr Kinloch went to another public meeting that evening, so he was unavailable anyway. I indicated that I wanted to know what was going on. I was told very clearly that a small group was attempting to set up a Weston Creek council and were going to use this as a vehicle.

The Liberals were getting into that issue as well - and they cannot deny it. We all know Mr Kevin Gill. The fact is that there is a Weston Creek Community Association. It is long established, it performs great work out in the Weston Creek area, it has supported and run a major centre there and Mr Baxter is its competent chair. The P and C Association is used to dealing with the Weston Creek association.

Yet in comes another little rump group who want to use this as a vehicle for some sort of new move in the community. So the major parties become involved. The only point that I will agree with Mr Moore on is that the issue is closer to the parents of those children, and closer to the children themselves, and they should have a major say in it and it should not be muddied with the attempts to set up another community council.

The Rally took the view that at another meeting, on 14 August, I believe, the parents and citizens, in a more orderly atmosphere, will express their views and what they want. In that context I do not doubt what Mr Humphries says. I am quite sure, from what Mr Knox tells me, that those parental groups and the children involved want that amalgamation.

But I believe that as a democratic Assembly we should not base this decision on the result of a 110 to 96 evening debate, with Mr Moore and all the other miscellaneous fraternity involved in other more interesting endeavours to do with setting up or putting down a council for the Weston Creek area. Surely the parents and children involved should be more directly consulted. They were in the past. And, if there is any doubt about it, I believe that that will be dispelled by the parent groups on 14 August, if my memory serves me correctly.

Mr Knox, in my conversation with him, indicated that the meeting on 29 July was likely to involve the issues arising out of an attempt to set up a Weston Creek council - which, of course, probably cannot lawfully be established because there is a Weston Creek Association, with a similar name. It would be confused with that. I doubt whether the Attorney has the power, in any event, to allow the registrar to register a Weston Creek council because there is a Weston Creek Association which can quite easily, constitutionally, alter and add to its name and call itself a council, which it is properly constituted to be.

So, I am sorry to disappoint Mrs Nolan and other members of the duopoly who want to get involved in Mr Gill's enterprise - for it or against it - worthy though it is. This motion of Mrs Nolan's is premature, and I believe that it is related to the other debate that should have been before the house today.

7 August 1991

MR BERRY (Minister for Health and Minister for Sport) (12.20): It was interesting to listen to Mr Collaery playing to Mr Stevenson's crowd. I must say that I have some sympathy for that crowd, because they have been dragged out in the cold on the basis of a promise that could never have been fulfilled, because it was a matter that was going to be decided by a committee of this Assembly. It is irresponsible, I think, for members to say that certain matters are going to be decided in this Assembly when it is not set in concrete.

We have had a lot of swerving and diving here today - people trying to move away from their respective positions in relation to the schools debate. It is clear that the former Alliance Government - and the Residents Rally was included in that Government, along with Mr Duby, Ms Maher and the Liberals - made some irresponsible decisions in relation to education. That is very clear, and there has been a polarisation of the community as a result of those decisions.

It is true that the Alliance Government had a very, very minuscule measure of support for its decision, but that would have been from the uninformed in the community, who have been fed, I think, a line which is inaccurate in education terms. With that philosophical bent, the former Government moved to do as it promised it would do with the education system; that is, rape it. Some in the community decided that they would fight, such as the people from Cook and Lyons primary schools. Others accepted that there was a government of a particular philosophical bent, and there was some grim acceptance that they would have to put up with what the Government had decided to do. They decided, for one reason or another, against a long, drawn out struggle.

What we have had happen in this matter is that the former Government, and those who served the Government, have worked with - and, I suggest, perhaps promoted - the idea of speeding up this amalgamation. In that process certain promises were made about a package of goodies that would be provided to the school if that amalgamation was speeded up. And, of course, people became wedded to the decision. But the very real problem has been that the community was never able to anticipate that there would be a change of government. The community could have expected, if there were a Labor government, that there would be no move to close schools in this first term, because that is what Labor promised when it originally came into government - and we have stood by that promise all the way along.

Labor has decided to listen to the community. That has been our promise all along. We have decided not to fast-track the amalgamation of these schools because, quite frankly, we are sick of fast-tracking. We have seen the damage that it has done in the health system. We have seen the amount of the community's money that has been poured into the health system to fast-track the closure for

philosophical reasons - no more than that. It has been a move to close the hospital before the community of the ACT had a chance to change the government. I suspect that, somewhere amongst the melee of discussions that went on about the speeding up of the amalgamation, some had in their minds, "If we can get it under way and have it secured by the end of 1991, if there is a change of government in 1992, which seems likely, it would be something that is settled and could not be reversed and the community, whatever they said, would have no say in the matter".

That is certainly what happened in the hospitals debate. It was said, quite publicly, that people were in a hurry to get all of this done, as much money as possible committed and as much construction as possible under way, so that any future government - anticipating that there was going to be a change in the flavour of politics in the ACT - would not be able to reverse it. That was the position that was taken quite publicly.

What annoys me most in this debate is the way that some of our Residents Rally colleagues have tended to dodge all of the blame; it is somebody else's fault. That is disappointing. It is about time that they stood quiet on this issue and accepted that they were part of the process, quite clearly. For them to come out now and pretend that they are snow white is absolutely over the top. Indeed, it was the Residents Rally that was booted out. They did not walk away; they were booted out. They were quite happy to stay with the process, it seemed - and they were booted out.

I do not give Mr Kaine any credit for forming that Alliance, because I think it did the community of the ACT no good. But we have to accept at the end of the day that the collapse of the former Government was caused by the Residents Rally having been booted out. They wanted to stay with the process which had closed schools and inflicted damage on other community assets such as the health system - the process which, of course, created the difficulties that the community has had with the winding down of the public hospital system.

I think that the communities at the schools proposed to be amalgamated were left with the grim acceptance that something was about to change. With the change of government to a Labor government, a sizeable number of people in the community have thought that there might be further change, and they are entitled to have that view. They are entitled to have the view that Labor will consult with them, because we will.

I think it is, in all the circumstances, an outrageous motion. Mrs Nolan has to accept that we have a different philosophical position. We intend to consult with the community. We will not fast-track this amalgamation, because we have seen the damage that fast-tracking has

7 August 1991

done. The people of the ACT do not need, in our view, this fast-tracking. It is clear that not all of the people in that area want the fast-tracking which Mr Humphries is infamous for. It is very interesting that the Liberal Party itself does not particularly support the fast-tracking that Mr Humphries was infamous for, because his support was not sufficient to have him allotted a place further up the Liberal ticket. They do not like it; nobody likes it. The Labor Party dislikes it; we are sick of it.

What we are going to do is consult the community and find out what they really want before we proceed further. But we are not going to be involved in fast-tracking for a philosophical reason; we are not going to be involved in fast-tracking, as the former Government was, just because there was an election over the hill and a change of government seemed likely. What we are going to do is listen to the community.

Mr Humphries: Mr Speaker, I neglected to table the document I referred to in my speech before. May I have leave to do so now?

Leave granted.

Mr Humphries: I table the following paper:

Stromlo High School upgrading - Copy of minute from the Deputy Secretary (Corporate Services), Department of Education to the Minister for Education.

MR SPEAKER: It being 12.30, the debate is interrupted in accordance with standing order 77, as amended by temporary orders.

Sitting suspended from 12.30 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Land Tax

MR KAINE: I direct a question to the Treasurer. The proposed levying of land tax on private investments in residential properties is becoming a quite hot issue, according to the correspondence that I have been receiving on the issue. I have received letters and phone calls from a number of people who are not voluntarily landlords. In one case, in particular, a woman who, because of ill health, has been forced not to live in her house is concerned that she is going to be charged tax. Since your budget is based on social justice, and since we have not seen the details of how this land tax is to work, Chief Minister and Treasurer, will you give an assurance that people who will be unjustly treated by the imposition of this tax will have their cases reviewed and that an exemption will be arranged for such people?

MS FOLLETT: I thank Mr Kaine for the question. I am not aware of the exact circumstances of the case that you raised. But I do think it is appropriate to remind the Assembly that the land tax that we are proposing will not be paid by people on their principal residences, and I think that in those circumstances it leaves some room for interpretation in that individual's case. However, Mr Speaker, the details such as those that Mr Kaine has raised are still being worked out. I think it is appropriate that very careful attention is paid in looking at this tax to make sure that people such as the person whom Mr Kaine has described are not disadvantaged by it.

I am aware, for instance, that there is a campaign being run by the Real Estate Institute, which I regard as a terror tactic; they are sending out brochures to a large number of tenants in the ACT, telling them that their rent will go up by 10 per cent. Mr Speaker, they have not provided any justification for that figure; nor can it be justified. It is a straight-out campaign of terrorising tenants into assisting the Real Estate Institute to resist this tax.

I would like to make a general comment that this is not a new tax that we are proposing; land tax is already paid by land-holders who hold that land for the purpose of profit, as an investment. Until this point people who have held residential land here for that purpose of profit have not paid the tax, although they do in other States in one form or another. So, what we are looking at is an extension of that tax to a category of land which is held for profit but which is held for profit as residential premises. I think the Real Estate Institute's campaign is a bit misdirected and is aimed at alarming the tenants to the maximum extent possible in order that the institute can drum up some support for its own campaign.

Mr Speaker, in conclusion I would like to say that it is our intention to look after low income earners who are in rented property, and we will of course be maintaining a very careful watch on any impact that this tax may have on low income earners. We have already expressed a wish to exempt Housing Trust properties from payment of the tax. Mr Connolly has been asked to look at the rental rebate scheme as the tax is brought into application, to see whether that scheme needs to be modified in any way to meet the particular needs of low income earners.

So, in brief, in answer to Mr Kaine: The detail that he seeks is still being worked out; but certainly it is not the intention to apply this tax in a draconian fashion, and people who feel that they have good reason to be exempted should not be discouraged from putting forward such a case.

7 August 1991

MR KAINE: I wish to ask a supplementary question, Mr Speaker. The Chief Minister referred to the principal residence. Does that mean that an officer of the Defence Force or a public servant who happens to be out of Canberra on business and whose principal residence is here will not have this tax applied to the home?

MS FOLLETT: Again, Mr Speaker, that is a question of detail in the application of this tax, but it is one on which I have a great deal of sympathy. I believe that people who are involuntarily moved out of Canberra, whether by way of transfer or because of their jobs, and who maintain a principal residence here are entitled to sympathetic consideration.

Intellectual Disability Services

MS MAHER: My question is directed to the Minister for Housing and Community Services, Mr Connolly. As of Friday, 2 August, four people with severe disabilities were excluded from the Sharing Places program, due to cuts in funding. I believe that at least another eight people would have been eligible to participate in the program by the end of the year and had indicated their interest in doing so; however, given the cuts in funding, they will not have the opportunity to join the program. Can the Minister indicate what will happen to these four people and the other people who are eligible to participate in this type of program, taking into consideration that some of those people are now residents of IDS houses?

MR CONNOLLY: I thank Ms Maher for her question. I was at Sharing Places last week and had the opportunity to speak with the parents of the four children concerned. What has happened is one of the problems that inevitably occur with the complex Federal funding arrangements in relation to disability services. At the Special Premiers Conference last week the Chief Minister, Ms Follett, signed, on behalf of the ACT, the disability agreement between the Commonwealth and the States and Territories, which will rationalise funding between the Commonwealth and the Territories. We will basically say that the Commonwealth is responsible for employment programs and training programs; the Territory is responsible for funding other services.

Sharing Places, which is a centre for daytime activities for persons with often quite profound disabilities and ranging downwards, is currently funded by the Federal Government which took a decision that its maximum level of services would be for 24 people, even though there had been 28 there at the time. As of 1 January next year, Sharing Places will be a responsibility of the ACT Government, and as of that date I suppose I, as Minister, and the Government collectively will be responsible for decisions to raise or lower the funding.

However, the decision which locks these four people out and which reduces the funding from 28 to 24 was of the Federal Government; it was based on Federal Government criteria which are rather too rigid and inflexible. I have written to the Deputy Prime Minister, Mr Howe, pointing out to him the problems that his department's decision has caused these four families and that this is a matter which will be transferring to the ACT as of 1 January next year, and requesting that the Commonwealth reconsider its position and continue the funding for these four people.

Ms Maher asks whether it is true that it may end up costing more with these people having to be cared for by IDS. Indeed, it may. It is an illogicality in Federal and State funding arrangements that I cannot take money from the IDS program and put it into Sharing Places. I rather wish I could, but I cannot. The disability services agreement, which was signed by the Chief Minister on behalf of the Territory, will, in the long run, remove these anomalies. I have written to the Deputy Prime Minister and asked him to reconsider his decision in respect of these four families.

MS MAHER: I ask a supplementary question. Mr Connolly, I have also been told that alternative activities are being considered. Are you aware of any alternatives that are being considered; if so, when will these alternative activities or programs be up and running, taking into consideration that by Christmas there could be at least 12 people sitting at home, not being able to tap into the services that, say, Sharing Places provides? They will be just sitting at home deteriorating, rather than learning the life skills that Sharing Places gives them.

MR CONNOLLY: I can undertake to give Ms Maher the details of alternative arrangements. I am aware that the disability services area of my department is doing all that it can to provide some alternative to these people. I will undertake to give Ms Maher the details of precisely what the options appear to be.

Land Tax

MR JENSEN: Mr Speaker, my question, which is directed to the Chief Minister, follows on from the question asked by Mr Kaine, the Liberal leader. Is it true, Ms Follett, that owners of homes within Canberra, who return from a compulsory posting or appointment interstate or overseas early in the financial year and after the land tax assessment has been made, will be required to pay the land tax assessment, despite the fact that they are no longer landlords?

7 August 1991

MS FOLLETT: Mr Speaker, I think really the substance of the response to the question that Mr Jensen has asked was contained in my response to Mr Kaine's earlier question, which is that the detail which they seek is still being worked out. I take on board the problem that Mr Jensen seems to be outlining in his question, and I will make sure that those sorts of views are taken into account in working out the detail.

MR JENSEN: I ask a supplementary question, Mr Speaker. Is it not true, Ms Follett, that your statement which accompanied the announcement said clearly that what I have just outlined would be the case and that no refund would be allowed in such cases?

MS FOLLETT: Mr Speaker, I do not believe that my statement referred to refunds at all.

Mr Jensen: That is the point that I am making.

MS FOLLETT: Yes. So, no, it is not true to say that.

Mr Jensen: No, I did not say that. Do you want me to repeat the supplementary question, Mr Speaker?

MR SPEAKER: Order! Mr Jensen, you do not have the floor.

Mr Jensen: Ms Follett obviously misunderstood my supplementary question.

MR SPEAKER: I think she did understand it.

Housing Trust Loan Repayments

MR STEVENSON: My question is addressed to Mr Connolly. Would the Minister investigate the possibility of having the software in the computer which controls the accounts of the ACT Housing Trust modified to allow borrowers to make loan repayments more frequently, thus reducing the total repayment time and the amount of interest paid by the borrowers? At present the Housing Trust accounts are programmed for monthly repayments. If they are reprogrammed to allow fortnightly repayments as well, this can save hundreds of thousands of dollars in interest payments made by borrowers. I would point out that, with few exceptions, trading banks have already responded to consumer demand in this area and have modified their accounting and computing systems. Could the Minister respond as soon as possible in this matter, so that borrowers will be able to take advantage of the very substantial financial savings?

MR CONNOLLY: I will certainly investigate this matter. I am being assured by two former Ministers in this area that it may not give any real advantages to consumers, but I will investigate it. What Mr Stevenson says, about private financial institutions encouraging consumers to move to fortnightly payments, is correct, and in that case there certainly are real savings to consumers. I will investigate what Mr Stevenson suggests and advise him of the results.

Medicare Bulk Billing

MR HUMPHRIES: Mr Speaker, my question is directed to the Minister for Health. Given the very significant role that Medicare plays in the lives of citizens of this Territory, can he inform the house of the likely impact of the Federal Government's proposal to impose a \$3.50 fee on bulk billed doctor visits, particularly in light of the belief of the Consumers Health Forum of Australia that this move, which was approved by Federal Cabinet yesterday, I understand, is "a step backwards for social justice principles"?

MR BERRY: It sounds as though Mr Humphries knows more than I do about it. I will have to take the issue on board.

Mr Humphries: It was in the paper today.

MR BERRY: You get more time to read the paper these days, Gary. I will certainly take the issue on board, and I will report back to Mr Humphries on the issue.

Postnatal Depression

MR MOORE: My question also is directed to Mr Berry, the Minister for Health. The generally accepted figure for the occurrence of postnatal depression in women is around 14 per cent. To take a conservative estimate of 10 per cent of the 4,800 or so women who give birth in the ACT each year - that does not include the surrounding areas - we can expect approximately 500 women per year to be suffering from this debilitating condition. You have been approached by Virginia Davies and Linda Marshall of the Postnatal Support Group - Virginia Davies was the Volunteer of the Year this year - with a proposal for a 10-bed unit to deal with this problem. Can you tell us what you are doing or planning to do to provide support for so many women who are suffering from this condition?

MR BERRY: Yes, I have had an approach in relation to that matter, which is serious for women who have just had children. The Government is keen to ensure that better services are provided. I am advised that, in the hospital redevelopment program, in the new obstetrics block services will be available for women who suffer from that ailment.

7 August 1991

Mrs Nolan: We do not want it in a hospital.

MR BERRY: Mrs Nolan says that they do not want it in a hospital. They do not get it outside a hospital now. My advice is that trained staff will be able to provide the right sort of attention in a hospital environment. It is argued that more services ought to be provided in a non-hospital environment. I have some sympathy with that proposition, but it is certainly not under active consideration at this moment. I must say that it seems to me that, if there are 480 people who are suffering from it in some way, perhaps more needs to be done. But I am not able to provide any more comfort than I have provided, in the sense that my advice is that better services will be available within the new obstetrics block when it opens.

MR MOORE: I ask a supplementary question. Will you provide details of what is being planned for the new obstetrics unit so that we can understand what you are intending to do?

MR BERRY: Indeed.

Member's Travel Costs

MR COLLAERY: Mr Speaker, my question is addressed to you. To your knowledge, has any determination or allowance been made by you as Speaker, or through the Assembly, to pay the air fares of members who are absent on leave from the Assembly at the time a sitting is recalled?

MR SPEAKER: The answer to that is a short no.

MR COLLAERY: I ask a supplementary question, Mr Speaker. Did you apply any funds towards the payment of fares for Mr Moore's return to this Assembly recently for a scheduled sitting of the Assembly?

MR SPEAKER: The answer is still no.

Mammography Program

MRS NOLAN: Mr Speaker, my question is directed to Mr Berry in his capacity of Minister for Health. The previous Government agreed in principle to join the national mammography program. What is happening in the ACT in relation to this program? When will ACT women be able to be part of this program, hence allowing the early detection of breast cancer without significant cost?

MR BERRY: Of course, women's health issues are a major priority for the Government, and clearly breast cancer is a target for action. The Federal Government has made some announcements in respect of that. However, the financial and program arrangements proposed by the Commonwealth may not be the most effective for the ACT. There are also divergent views about the efficiency of the screening strategy, particularly for women of different ages. As Mrs Nolan would know, it is more effective at some ages than it is at others.

The Government will be considering all of the relevant issues in respect of this as part of its budget considerations. But we would be faced with being locked into the provision of mammography programs by Commonwealth funding, in the first place, and we might then have to deal with the prospect of the Commonwealth withdrawing that funding and the ACT being left with the provision of the services. So, it is one that will take some working through. It is not something that we take lightly, because of our commitment to women's health issues. I think Mrs Nolan can be confident that the Labor Government will provide better services for women in this area and that we will be dealing with the issue of the mammography program very sympathetically as part of our budget considerations.

Ainslie Transfer Station

MR DUBY: Mr Speaker, my question is addressed to the Chief Minister, following her answer yesterday referring to the Ainslie tip and her announcement that that tip was to be reopened.

Mr Berry: Is that the old one or the new one?

MR DUBY: The Ainslie dump. I ask the Chief Minister: What are the capital costs involved in reopening the dump? What are the anticipated recurrent costs of operating the Ainslie dump? Could she tell me what contract arrangements have been entered into to operate that dump in the future and whether it is already a fait accompli?

MS FOLLETT: Mr Speaker, again I think I have answered this question already. I answered it yesterday in response to Mr Duby's supplementary question. I thought I made it quite clear that the Government is examining the Ainslie Transfer Station issue. In doing that, we are, firstly, committed to the reopening of the facility and, secondly, committed to doing that in the most cost-effective way. So, I am not able to tell Mr Duby the capital cost or the recurrent costs involved. I am able to say that, to the best of my knowledge, no contracts have been let. But I think the whole issue is one which Mr Duby might have to wait for the budget to examine in closer detail.

7 August 1991

MR DUBY: I ask a supplementary question, Mr Speaker. I would like to ask the Chief Minister how she can justify the statement that the Ainslie Transfer Station will be reopened - that is what she announced yesterday - when she does not know what the costs of that action will be.

MS FOLLETT: Mr Speaker, I can justify my commitment to reopening the Ainslie Transfer Station by saying that I listen to what people say to me; I do not think it needs any greater justification than that. Quite clearly, there is a demand amongst the people in that area for the transfer station to be reopened. We know what the costs were of running that tip at the time that Mr DUBY closed it down, and Mr DUBY knows that better than anybody else. I would have thought that, given the costs that were involved then, there was absolutely no justification for taking unilateral action and closing it.

I think what Mr DUBY probably needs is a lesson in keeping his promises. At that time I made a quite clear, public commitment that when it was in my power to do so I would reopen the Ainslie Transfer Station. As with all such commitments, I intend to deliver on it.

ACTION - Efficiency Improvements

MR STEFANIAK: My question is addressed to the Minister for Urban Services, Mr Connolly. The Priorities Review Board considered ACTION's efficiency in 1990 and concluded that there was considerable scope for improvement, and that the current institutional frameworks and entrenched practices were inhibiting efficiency improvements. Will the Minister inform the Assembly as to what steps the ALP in government is taking to give the ACT taxpayers the best value for their transport dollar?

MR CONNOLLY: Principally, we are not having anything to do with the Priorities Review Board, consigning that rather expensive and wasteful exercise in ideological bellybutton examination from a pro-privatisation perspective to the dustbin, whence it will be read only by Liberal Party members.

We are succeeding. On Friday, weather permitting, we will be opening the Tuggeranong bus station. We have undertaken very extensive improvements to that facility. In particular, we are installing some large safety glass screens so that, firstly, people who are waiting for buses will be protected from the wind and rain and, secondly, there will be an area where shopping trolleys or baby carriages will be safe from rolling down the slope.

Mr Berry: Very important, too.

MR CONNOLLY: It is very important indeed, because there was an obvious safety risk, both to the occupant of a baby carriage and to persons on a bus whose driver might be forced to brake suddenly to avoid it. We have achieved that by negotiation with the union. That bus shelter was indeed a white elephant under the previous Administration. There was a stalemate; nothing was happening. We have negotiated a settlement to that, which will significantly improve the amenity for the people of Tuggeranong and which resulted from cooperation with the union movement.

Other areas of efficiency in ACTION will be looked at, with the cooperation of the union movement. That is the way this Government goes about it, rather than relying on ideologically driven reports.

MR STEFANIAK: I ask a supplementary question, Mr Speaker. Mr Connolly, how much did the alterations to that bus station cost?

MR CONNOLLY: The alterations are still being completed. I said "weather permitting" because the major task that remains is to install these large glass screens. Given that there have been extensive winds in the last couple of days - Liberal Party windbags perhaps do not notice the high winds that others would - I understand that it has not been possible to install them, and it will take place either today or tomorrow.

Mr Duby: What was the anticipated cost?

MR CONNOLLY: I will give the final cost. The anticipated cost is in the order of \$70,000 to \$80,000 to install those screens.

Mr Jensen: So, the figure of \$250,000 was a nonsense, was it?

MR CONNOLLY: The \$250,000 solution about which Mr Jensen speaks shows the inflexibility of their thinking. The amount of \$250,000 would have been the cost of ripping up the surface of the bus station and replacing it. This inflexibility of the former Government was that they could not do anything about this problem other than spend a substantial amount of money on a consultant's report on the level of the slope. They wasted \$20,000-odd on a consultant's report. We have spent some money to improve the amenity significantly.

I will spend quite a bit of time in the pre-election period talking to residents of Tuggeranong, who will be sitting comfortably in the shelter of these glass safety screens, advising them that the Liberal Party thinks that the screens are a waste of time, and, if they are Liberal supporters, asking whether they would prefer to move down the carriageway and stand in the wind and the rain, because that is where they would have been if we had not made these major improvements.

7 August 1991

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

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

MR SPEAKER: I call Mr Berry.

Mr Jensen: Mr Speaker, I thought I was on my feet first.

Mr Berry: There is a point of order.

Mr Jensen: I rose on a point of order, too, Mr Berry.

MR SPEAKER: Order! Mr Jensen, I gave Mr Berry the call, inadvertent as it may be. I thought you were seeking the call.

Mr Jensen: I yelled out, "Point of order". I will obviously have to shout a bit louder next time, Mr Speaker; I am sorry.

MR SPEAKER: If you had not been making so much noise, I would have heard you. I call Mr Berry.

Mr Berry: Mr Speaker, yesterday you were quite sympathetic to the rowdiness on the other side. I can understand and agree that you should have had some sympathy for these people because they were twitchy about the performance of the Government. But today, Mr Speaker, while Ministers have been attempting to answer questions, there has been outrageous noise from the other side. They do not seem to be able to cope with opposition. One of the things that they will have to learn to cope with is a little bit of discipline as to how they listen to answers. We do not mind sitting quietly and listening to their questions. Would they mind just sitting quietly and listening to the answers that they get.

MR SPEAKER: I take that as a valid statement. I call Mr Jensen.

Mr Jensen: Thank you, Mr Speaker. My point of order is in respect of the fact that the question was not answered by Mr Connolly. He went off on a long diatribe and was debating the issue, which is contrary to standing orders in relation to providing an answer to a question.

MR SPEAKER: That was a valid point.

TAFE Courses

DR KINLOCH: Mr Speaker, congratulations on the way you are running things. My question is addressed to Mr Wood, the Minister for Education and the Arts. I am so pleased to see that TAFE is also under this ministry. Can the Minister advise on these circumstances: If a TAFE student has properly enrolled for, and has completed, some elements of a TAFE program of studies, can that student be denied approval to complete the requirements for such a program? You can see what has happened: Someone may start a program, two or three units, and then the course is changed. In other words, are students protected against arbitrary closures or structural changes in programs once they have made a start on those programs?

Mr Kaine: The simple answer is no, Bill.

MR WOOD: No, that is not the answer. The institute's policy is that enrolled students will be able to complete their courses of study although, given circumstances that arise, not always in the minimum period. The institute reserves the right to transfer students to other courses of the same field and level. Problems arise from time to time; I am sure we have all heard of experiences of people who have been enrolled. But there is a firm policy at the institute, which I am sure will be maintained, that only the director has the authority to cancel a course of study in which students are currently enrolled. There is no scope for courses of study to be cancelled by any person other than the director. The policy that I am ensuring will be maintained will apply, with no cancellation of courses unbeknown to students at the school level.

More than that, because of problems that inevitably arise, the ACT Institute of TAFE does reserve the right to review or cancel specific classes if there are insufficient numbers or amalgamate and retimetable classes and withdraw elective options within a course of study. But I emphasise that there is a difference between cancelling a course and reordering the classes. That advice that I have given you, Dr Kinloch, is provided to intending students in the ACT TAFE guide, and it is generally known, or should be generally known.

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

PERSONAL EXPLANATION

MR JENSEN: Mr Speaker, I seek leave to make a personal explanation under standing order 46.

MR SPEAKER: Do you claim to have been misrepresented?

7 August 1991

MR JENSEN: Yes, Mr Speaker.

MR SPEAKER: Please proceed.

MR JENSEN: Mr Speaker, in an answer to a question, Ms Follett implied that my supplementary question appeared not to be based on fact. Might I read into the record the final paragraph of a media statement which was released under the auspices of the Chief Minister, dated 24 July and headed "Land Tax on Rental Properties". The final paragraph says:

Ms Follett said that land tax of one percent of the unimproved value of the land would apply to non-exempt properties as from 1 August 1991. Whether land is taxable will be determined as at this date and apply for the rest of the financial year. For future years, the taxable status of land will be determined on 1 July and apply for the ensuing year.

If Ms Follett listens to that and reads my question, I think she will see the point of what I was trying to get across. At some stage she might like to give me an answer on that.

SUSPENSION OF STANDING AND TEMPORARY ORDERS

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

That so much of the standing and temporary orders be suspended as would prevent order of the day No. 1, private Members' business, relating to the Publications Control (Amendment) Bill 1991, from proceeding forthwith.

MR BERRY (Deputy Chief Minister) (3.04): This is obviously a move by Mr Stevenson to get around the established practices of this Assembly. If there were a matter of some urgency, the Labor Government would be prepared to contemplate a motion to extend private members' business on any day. But I say to you, Mr Speaker, that before we would do that we would want to be convinced well in advance of the motion coming to the Assembly because we have a government program to which we want to adhere. We have matters which have to be dealt with, and I think members of this Assembly generally - the responsible ones, anyway - agree that the Government has to be able to deal with its program in the course of the Assembly's sittings, that is, unless there is some matter of private members' business which has been raised prior to the sittings, to give people a fair go.

These issues have to be considered on the basis of their urgency and so on. There is no sign that this is an urgent matter; there is nothing hanging on it.

Mrs Nolan: It has been on the notice paper since 13 February.

MR BERRY: Right; but there is nothing hanging on it. I would just ask members to consider that there is another important matter which will come up this afternoon, in relation to fluoride in the water supply, and it would seem to me that this has some basis for Mr Stevenson moving his motion. I am a little concerned about that aspect of it. It is an important matter that has to be dealt with. We want to get on with the Government's program. We are not happy about having motions for the suspension of standing orders sprung on us, when until this point we have expected to be proceeding with the Government's program for this afternoon.

Mr Stevenson is going to have to learn that he has to convince the majority of members of this Assembly that there is good sense and some urgency in his proposals and that the public interest is best served by proceeding with his proposals as a matter of some urgency. He was not able to convince members of the Administration and Procedures Committee that that should be the case, and private members' business was ordered by members of that committee appropriately.

If Mr Stevenson cannot convince that committee that his business should be ordered higher than theirs, I think he has a hide to swan into the Assembly and try to suspend the standing orders of this Assembly and interfere with the Government's program for this afternoon. I think it is over the top, and I think it deserves to be opposed and go down.

MR KAINÉ (Leader of the Opposition) (3.07): Mr Speaker, I oppose Mr Stevenson's motion.

Mr Stevenson: On a point of order, Mr Speaker: Is this a point of order? I wish to speak to my motion for the suspension of standing orders.

MR SPEAKER: Order! Mr Stevenson, Mr Berry did not rise on a point of order. I thought you did not wish to speak, and you did not claim the right to do so.

Mr Humphries: You sat down after you put the motion.

MR SPEAKER: You sat down. I am afraid I misinterpreted your intention, but that is the way you indicated it to me. Mr Kaine, please proceed.

MR KAINÉ: Mr Stevenson well knows that the Liberals in the Assembly will support his Bill when it comes before the house; so, it is not a question of whether we agree or disagree with the subject matter that he wants to debate. We have supported him in the past; we will continue to support him in the future. But that is not the point at

7 August 1991

issue here. The point at issue is who determines the proceedings in this house. We have processes in place in accordance with our standing orders. Mr Stevenson has the advantage of those, just as any other private member of the Assembly does, in terms of private members' business. As Mr Berry has pointed out, he could not convince the members of this Assembly who determine the course of private members' business that his business should take precedence over that of other people.

Mr Jensen: The Administration and Procedures Committee, Mr Kaine; there is a difference.

Mr Collaery: Not the Assembly.

MR Kaine: The members of this committee are members of this Assembly; they are entitled to have a view, and the process is that those members who are elected by this Assembly will determine the course of private members' business. He could not convince them that his business should take precedence over everybody else's in terms of the two hours that are devoted today to private members' business.

Mr Stevenson is not prepared to accept the decision of his peers on this issue. He believes that he somehow takes precedence over all of the other members of this Assembly. Dr Kinloch sprung to his aid this morning and moved a motion that we stop debating the subject that was then under debate and consideration before the house and set it aside in favour of Mr Stevenson. Thirteen members out of 17 sitting in this house voted against that proposition. In other words, 13 members of this house believe that the processes of determining the sequence of private members' business are the right and proper ones.

I do not believe that we should set all that aside because Mr Stevenson thinks we should. He is a single member of this Assembly, just as each of the rest of us is. He belongs to this Assembly. He should subscribe to the standing orders, although I know that he does not because his objective is to abolish this place. So, why he chooses to try to exploit the standing orders and the processes of this place to his own advantage is absolutely beyond me.

If he thinks it ought to be abolished and if he is going to continue to try to manipulate the place, my only suggestion is that he should take himself somewhere else and do it. He should not try to impose his will on the majority of the members of this Assembly or the whole community of this Territory. He has to abide by the rules, the same as the rest of us do. For that reason, I oppose his motion, although he well knows that I do not oppose the substance of his Bill and that when it comes before the house I will vote for it. But he has to take his turn, as everybody else does.

MR STEVENSON (3.11), in reply: When the Liberal and Labor parties allow me to speak on the X-rated banning Bill in this Assembly I will name politicians who are associated with and connected to organised criminals involved in the X-rated video industry.

Mr Berry: I have a video machine.

MR SPEAKER: Mr Berry, you called for order earlier.

MR STEVENSON: Last week I sought agreement from other members of this house to allow this matter to proceed. I specifically said that the reason it had importance was because of matters associated with organised crime. Twice in this Assembly I have tabled evidence regarding organised crime, from which two investigations originated, and a third investigation is being conducted into matters that I later mentioned.

I realise that there are certain procedures in this Assembly for allowing these matters to proceed, but the Labor and Liberal parties have always held the majority in this Assembly; they have always held nine or more seats, we should remember. The only way that I can get private members' business agreed to is by getting it voted upon in the Administration and Procedures Committee. The Liberal Party, and the Liberal Party alone, controls that committee because it has two members on it - the Speaker and Mrs Nolan. The other two members are Mrs Grassby and Mr DUBY. Mrs Grassby will not get involved, so they have said, in what they call private members' business.

So, it then comes down to a 2:1 vote. The suggestion was that I could not convince the Liberal Party. I tried again and again. I spoke to Mrs Nolan again and again; I rang Mr Kaine and said, "This is a very important matter". If we are to close down organised crime involvement in this Territory and Australia we need to work on it. We also need to move as quickly as we can to do this.

Mr Humphries: Why?

MR STEVENSON: The evidence has already been presented in the Assembly. The suggestion that the evidence that I presented in the other two statements is old hat or invalid has been shown to be false. When I have a chance to speak I will indicate why that disinformation program has been put out.

Mr Moore: Mr Speaker, I also oppose this motion.

MR SPEAKER: I am sorry; Mr Stevenson has closed that debate, even though he did not speak earlier.

Question put:

That the motion (**Mr Stevenson's**) be agreed to.

A call of the Assembly having concluded -

7 August 1991

Mr Collaery: On a point of order, Mr Speaker: I seek leave, under standing order 166, to have my vote accurately recorded. I did not vote from my position in the house. I was not immediately aware of what I was being called to say. I always answer "no" when I am not ready.

MR SPEAKER: It will be done, Mr Collaery. It will be accurately recorded.

Mr Collaery: My vote is yes.

MR SPEAKER: As Mr Collaery called for the vote, he must vote the way he called it.

Mr Duby: But he was not at his desk.

MR SPEAKER: No, originally. He called for a vote to be taken. I do not think there is any necessity to call a vote again. The situation is that Mr Collaery called for the vote to be taken and under standing orders he must be recorded under that vote.

The Assembly voted -

AYES, 6

NOES, 11

Mr Collaery

Mr Duby

Mr Jensen

Dr Kinloch

Ms Maher

Mr Stevenson

Mr Berry

Mr Connolly

Ms Follett

Mrs Grassby

Mr Humphries

Mr Kaine

Mr Moore

Mrs Nolan

Mr Prowse

Mr Stefaniak

Mr Wood

Question so resolved in the negative.

SUSPENSION OF STANDING AND TEMPORARY ORDERS

MR COLLAERY (3.19): Mr Speaker, I move:

That so much of the standing and temporary orders be suspended as would prevent Mr Stevenson from:

- (1) tabling documents relating to his allegations that persons, including politicians, are involved in organised crime and the x-rated video industry; and
- (2) speaking for no more than 15 minutes on those documents.

Mr Moore: Standing order 59, Mr Speaker - - -

MR SPEAKER: Yes, I believe that the opinion of the house is against your motion, Mr Collaery, and I think we would be wasting the time of the Assembly to accept that.

MR COLLAERY: Mr Speaker, I am moving a motion that is different from that upon which a vote has just been taken. Mr Stevenson sought to suspend standing orders so that he could bring on a debate on private members' business. Having made a serious allegation in this Assembly, which is now at large and which names politicians, I believe that Mr Stevenson should be called upon to table the documents to which he alludes and should be given a reasonable time to address those documents. I believe that that is in the public interest.

Mrs Nolan: Are you putting a time?

MR COLLAERY: I said 15 minutes. Mr Speaker, I do not believe that the standing orders in any way would prevent this exercise. I am not addressing the substance of Mr Stevenson's issues whatsoever. I believe that this Assembly should get him to put forward his information, if he has it.

MR SPEAKER: I accept your motion.

Question resolved in the affirmative, by an absolute majority.

ORGANISED CRIME AND X-RATED VIDEO INDUSTRY ALLEGATIONS **Statements by Members and Papers**

MR STEVENSON (3.20): I present the following papers:

Organised crime allegations -

Copy of letter from Acting Inspector, Internal Investigations Department, Victoria Police, dated 24 May 1991.

Operation "Manna" - Copies of seven documents.

Mr Speaker, for the last 10 years royal commissions and other inquiries by both Federal and State authorities - - -

Mr Berry: Where are the documents?

MR STEVENSON: They are on the table. Inquiries have identified networks of influence and connections between the X-rated video industry and organised crime, both here and overseas.

Mr Kaine: On a point of order, Mr Speaker: Mr Collaery's motion was that Mr Stevenson should table the documents and then speak to them, and I think he should do so.

MR SPEAKER: Please proceed, Mr Stevenson.

7 August 1991

MR STEVENSON: I cannot speak to them if I do not have them.

Mr Collaery: Mr Speaker, I move that the Clerk make them available to him for reference, they having been tabled.

MR SPEAKER: Mr Stevenson, I will grant you 15 minutes from now.

MR STEVENSON (3.23): For at least the last 10 years, royal commissions and other inquiries by Federal and State authorities have identified networks of influence and connections between the X-rated video industry and organised crime, both here and overseas.

In this Assembly on 16 April I said that, although Royal Commissioner Costigan had named four leaders of Australia's largest porn video group - namely, Gerald Gold, Joseph David Shellim, Frederick Shellim and Alexander Gajic - as eastern States organised crime figures, authorities have failed to take effective action to close down their activities. The question remains: Why have politicians repeatedly failed to instigate the necessary action?

False reports, claiming that the evidence that I presented connecting organised crime and X-rated video pornography is invalid, have been spread to MLAs and others by those who have an interest in the failure of the Bill. The reality of the situation is that, as a result of my statements, senior Victorian police officers came to the ACT, interviewed me and commenced a major investigation which is ongoing. In addition, Gerald Gold was recently interviewed by Federal Police investigating an international drug importation racket. Gold admitted his association with a number of people known to State and Federal police forces as being connected to the vice and drug trade. That investigation is also continuing.

The Federal Labor Government spends hundreds of millions of taxpayers' dollars on the effects of, or in trying to prevent, violence against women, child sexual abuse and discrimination against women, all of which are strongly influenced by X-rated video pornography. But in total disregard of these facts the Federal Labor Government has repeatedly refused either to introduce the national ban on X-rated videos requested by Australia's senior law makers, the Attorneys-General, or to bring the ACT in line with the Australian States when it had the opportunity.

Yesterday on page 3 of the *Canberra Times* the ACT ALP Attorney-General is quoted as saying that he cannot rule out the fact that I am accurate in saying that organised crime and the X-rated video industry in Canberra go hand in hand. Nevertheless, the members of the ACT Labor Party intend to vote against banning X-rated videos and thus allow this crime-ridden industry to operate in the ACT and distribute porn videos to all States in Australia where they are illegal.

I take this one step further. An investigation was conducted over a number of years into other business connections maintained by the people whom I later named in my two speeches in this Assembly. That investigation was called Operation Manna because early investigators looking at the information said that this information is so good that it is like manna from heaven. One man whom I identified was Gerald Gold. He engaged in a letter writing campaign to members of this Assembly, wherein he made a number of untrue statements and wild distortions in an attempt to influence their votes. I sought to have a contempt of parliament matter brought up on that. The Speaker ruled that in his opinion it was not required for that. I intend to pursue that matter further.

Without reservation, the Victorian Police Internal Investigations Department confirmed the statement that I made regarding Mr Stuart Gill, an adviser who works for me and who is a senior police investigator. I read a document dated 24 May from the Internal Investigations Department of the Victoria Police, which states:

I am authorised by the Superintendent, Operations to inform you that Stuart Paul Gill has acted as a Consultant for the Victoria Police in past investigations, and is still currently consulting on current investigations.

Mr Gill played an active and ongoing role in Victoria Police investigations, and the material uncovered has caused the establishment of an invaluable database upon which new and wide ranging inquiries are under way. Many of the areas uncovered over an eight-year period show direct links to the X-rated video pornography trade, their bankers and their money launderers.

It is rather interesting that the attack came from Gold, as my new inquiries show that he has a long corporate history of failed companies and other organisations dating back to the late 1960s. The situation was such that the Corporate Affairs Commission recommended an investigation into Gold's operations.

I have a list of 41 companies, none of which operate any longer. They have all been liquidated, placed in bankruptcy, et cetera. Many of them would be well known - Channel 69, Private Screenings Pty Ltd, Unicorn Video, Video Pix Pty Ltd, Mr X Video, Hollywood House Video, Curbeydex Pty Ltd, Tag Video Pty Ltd, Liberty Home Video Pty Ltd, and so it goes on. Either someone is a very bad manager or there is fraud involved. In my last statement I showed exactly how that fraud works by asset stripping companies and sending them into liquidation to evade tax and responsibilities to creditors.

7 August 1991

Gerald Gold was recently interviewed by police as being a partner and employer of Anthony Moses, who is a member of the policy committee of the Federal Australian Labor Party Immigration and Foreign Affairs Committee and the ALP Foreign Affairs Policy Committee. Tony Moses was the subject of a police investigation, as being part of an international drug importation conspiracy.

I have already tabled in this Assembly evidence showing that a senior Sydney law firm, Simons and Baffsky, dealt with a United States Mafia group on behalf of Australian organised crime figure Alexander Gajic. One of the actions in which Simons and Baffsky were involved helped asset strip the company Joffrey Pty Ltd so that it could be sent into liquidation, to evade tax and creditors. What I did not reveal at the time was that some of the dealings were the subject of formal investigations - this is the dealings by Simons and Baffsky - one being the controversial purchase of the Luna Park site. Simons and Baffsky have strong connections to the Labor Party.

I also presented evidence of how the Melbourne lawyer Leon Zwier was engaged by Gajic to travel to the United States and negotiate with various organised crime groups to set up a deal to import and franchise X-rated videos. Zwier was recently made a partner of Arnold Bloch, Leibler and Associates, one of Melbourne's most prominent law firms. After my statement in this Assembly I was contacted by the Victorian Law Society to supply further details.

Zwier is now the subject of inquiries by different groups who are examining, among other matters, his trips to the United States to consort and negotiate with firms defined by the Californian Crimes Control Commission as being part of organised crime. Arnold Bloch, Leibler and Associates is a firm appointed by the Labor Prime Minister Bob Hawke as advisers on taxation and law reform. Mark Leibler holds a number of senior advisory positions with the Federal Labor Government.

Mr Rod Kelly, associate of several well-known Labor Party members including Morris Milder, who was the solicitor who phoned the office of Gerald Gold to let him know that the Australian Federal Police wanted to search Gold's premises and offered funds to the BLF inquiry, was investigated by Fijian authorities as being part of an arms smuggling racket during the Rabuka coup. Alexander Gajic, in his statement before Mr Justice Woodward, confirmed that he had arranged and paid for overseas trips for members of the Victorian Labor Party.

A publishing company, Care Publications Pty Ltd, involving publishing magnate Mr Gerald Gold, also has as associates on its board of trustees Labor members Mrs Joan Coxsedg, Edward Rush and others. In investigating organised crime control of the X-rated porn industry, I have been struck by the number of times connections are made between members of the Australian Labor Party and identities named as being involved in organised crime.

Turning to the business in the ACT, John Lark's business empire, he took advantage of the corporate crime connections of Gerald Gold and others. Lark turned the unacceptable face of organised crime into a seemingly acceptable face of corporate respectability. Whenever you attack the X-rated video industry in Canberra, there is a knee-jerk reaction from related business interests in other States, mainly Victoria.

During the past investigation links were established between Joseph David Shellim's Hollywood House company and Gerald Gold's Videorama company and what has been described as a merry-go-round called the Carnarvon Group. The Operation Manna report states:

In 1982 it was discovered that the cash laundering for the Shellim/Gajic combine was also identical to the cash laundering syndicate for the Gold/MacCready groups.

MacCready was sentenced to gaol for attempting to spring someone from Pentridge. The report continues:

Sitting, as if by accident between these groups was the crime empire of Mark Alfred Clarkson. His lieutenant, Gary Wayne Alpert appeared to cut into both sides of this arrangement, together with his own syndicate based on the almost extinct Falkiner Holdings Limited.

Further the personages sitting immediately to the right and to the left of Alpert in the Falkiner hierarchy presented a strange picture, for they incorporated:

- (a) The failure of Trustees Executors Agency, and subsequent criminal proceedings.
- (b) The failure of Australian Asiatic and the subsequent criminal proceedings.
- (c) The failure of the Athena Permanent Building Society, and its subsequent criminal proceedings.

The failures of a, b & c represent over \$30 million in lost and missing assets.

If we then add the failure of the Alpert enterprises in the period June 1979 to August 1986, we look at a figure of \$47.4 million, adding to that the share of the TEA loss attributable to this group, we see a loss of \$92 million.

Whilst it is not all a cash loss, the breakdown shows: \$27.80 million in cash and securities, and the balance being in property manipulation and share price fixing.

7 August 1991

... ..

The links and subsidiaries were established following an examination of the manner in which two individual groups transferred cash and securities.

The system was basically that if one group wished to transfer an asset it did so with the use of a transfer facility known as the nominee group surrounded by "The Carnarvon Group".

For a percentage fee the security, cash or whatever, can be held in trust, or passed downwards through the other series of interlocking companies, to emerge by way of dividend or repayment of loan; laundered and apparently in no way connected with the point of origin.

Mr Speaker, the network of companies involved in this well-established, organised crime group and groups throughout Australia is horrendous. They involve literally hundreds and hundreds of companies, untold hundreds of millions of dollars and every criminal activity that you could imagine. X-rated videos are but one. Fraud of a vast nature is also involved; also prostitution, gambling, tax evasion and other matters.

Mr Speaker, there is someone involved in the police force in the ACT who presented to the media information that was absolutely misleading in this matter. I believe that material was presented in an attempt to play down the involvement of organised crime in the X-rated video industry in Canberra. I will name that policeman to police authorities as soon as I meet with them.

Mr Moore: You have now tainted the whole police force.

MR STEVENSON: It is one man within the police force. I have no intention of tainting the entire police force any more than I would taint the entire political area. However, since 1983 the Costigan Royal Commission named names. It showed who was doing it, how it was being done and where it was being done. I have also shown some of the people in the establishment who have been involved in protecting and working for these people. The question that I raised in both my statements in this house is: Why has nothing been done about the major group? There are many people in gaol, but the major group continues unabated.

MR SPEAKER: Mr Stevenson, your time has expired. Mr Stevenson, during your speech I was rather alarmed at what I see as a reflection on the Chair with regard to the matter of privilege and precedence thereof. I would just like you to clarify your point.

Mr Stevenson: I made no suggestion whatsoever, Mr Speaker. You obviously refer to the matter of Gerald Gold writing letters - - -

MR SPEAKER: Order, Mr Stevenson! I have the floor at the moment; you have had your turn. The situation is that precedence was asked for on a matter of privilege. I gave you a ruling on precedence, which is the urgency of that issue. I also informed you that you were open to give notice of motion on that matter of privilege, as I advised you to do in the letter I sent to you.

Mr Stevenson: Yes, indeed.

MR SPEAKER: I think you should be more careful with your words. There was reflection on the Chair, and I object to that. I would like you to return the tabled papers, Mr Stevenson.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services), by leave: I wish to make a statement with regard to a fairly serious allegation made anonymously against a member of the Australian Federal Police.

Mr Speaker, in his, in my view, highly irresponsible speech, which was nothing but a farrago of allegation and guilt by association - - -

Ms Follett: It was contemptuous.

MR CONNOLLY: As the Chief Minister said, it was contemptuous. Mr Stevenson ended his remarks by making an allegation against a member of the Australian Federal Police which, by his refusal to detail it or explain to whom he was referring specifically, puts all members of the Australian Federal Police under a smear.

I expect that Mr Stevenson would have the decency and guts to make his specific allegation; if not to this Assembly, then in accordance with the appropriate procedure under the Complaints (Australian Federal Police) Act to the Ombudsman or to Assistant Commissioner Bates. I am quite happy to ask Assistant Commissioner Bates, who is effectively the person in charge of the ACT region of the Australian Federal Police, to meet with Mr Stevenson, if Mr Stevenson is prepared to make a specific allegation. I am appalled at this gutter tactic of smear.

Mr Stevenson: Mr Speaker, on a point of order: I have already indicated that I would do that.

MR CONNOLLY: If I could just continue: It was pleasing to see that all members of this Assembly but Mr Stevenson expressed their revulsion at this smear of the police generally.

7 August 1991

MR STEFANIAK, by leave: Certainly on behalf of the Liberal Party I would agree with the comments made by the Attorney-General and the Minister for police in that regard. I also listened carefully to what Mr Stevenson was saying in relation to that member of the Australian Federal Police. He spoke of one member; that can indeed be interpreted as a slur on all members when that member is not named. It was also a pretty vague allegation, from what I heard him say. So, I think it would have been much better if Mr Stevenson had gone through the appropriate channels, rather than raising that matter under privilege here.

As Mr Connolly said, he could take that up with Assistant Commissioner Bates, and indeed with Mr Connolly as the responsible Minister, rather than raise it here in such a vague way, under privilege, with the potential to cast a slur on what is regarded as one of the best and one of the cleanest police forces in the country.

PAPERS

MR BERRY (Deputy Chief Minister): Mr Speaker, for the information of members I present the following papers:

Housing Assistance Act - Housing Trust - Report and financial statements, including the Auditor-General's report for the period 11 May 1989 to 30 June 1990.

Audit Act - Audit report on financial statements for -

Bruce Stadium Trust for the period 20 September 1989 to 30 June 1990.

Housing and Community Services Bureau for the period 14 December 1989 to 30 June 1990.

Office of the Public Trustee for the period 11 May 1989 to 30 June 1990.

INTERIM PLANNING ACT 1990 - VARIATIONS TO TERRITORY PLAN Papers and Statement

MR WOOD (Minister for Education and the Arts and Minister for the Environment, Land and Planning): Mr Speaker, for the information of members I present six variations to the Territory Plan, pursuant to section 22 of the Interim Planning Act 1991, and a notice of revocation made pursuant to section 19 of the Interim Planning Act 1991, as follows:

Interim Planning Act 1990 -

Approvals of variation to the Territory Plan -

Ainslie, section 26, blocks 1 (part) and 2, dated 23 May 1991.

Hackett, section 18, blocks 4 and 5, dated 23 May 1991.

Hughes, section 30, block 2 (part) and section 28, block 4 (part), dated 23 May 1991.

Kingston, section 24, block 4 and section 26, block 51, dated 23 May 1991.

Pearce, section 30, blocks 9, 10 (part), 11 and 12, dated 23 May 1991.

Pearce, section 49, block 10 (part), dated 23 May 1991.

Notice of revocation, dated 7 August 1991.

I seek leave to make a short statement.

Leave granted.

MR WOOD: Mr Speaker, these variations were approved by the Alliance Government in May 1991, before it lost office. I will go through them in brief detail.

The variation to Ainslie, section 26 block 1 (part) and block 2, will permit the extension of the Ainslie Football Club and provide parking to serve both the club and the adjacent oval which is used by the ACT Rugby Union. The variation to Hughes, section 30 block 2 (part) and section 28 block 4 (part), involves an exchange of land with the Presbyterian Church and will enable the church to build a 60-bed aged persons hostel in association with some aged persons units which are already under construction. The variation to the Kingston Group Centre sets parameters for the future development of the Kingston Group Centre; that is the shopping area generally.

The variation to Pearce, section 49 block 10 (part), will enable a small area of land to be added to the Marist College to enable the college to provide an additional playing field and also some more parking. The variation to Pearce, section 30 blocks 9, 10 (part), 11 and 12, will enable the Anglican Church to build some aged persons units on land surrounding St George's Church. The variation to Hackett, section 18 blocks 4 and 5, will allow redevelopment of these sites, which are adjacent to the Hackett shops, for medium density housing. They are the variations that have been tabled.

Prior to being defeated in the Assembly, the Alliance Government also approved a further eight variations to the Territory Plan which this Government does not support. The previous decision to approve the variations has now been revoked - this morning, I might say - by this Government. The revoked variations follow. They include variations to the Territory Plan for five primary school sites - Cook, North Curtin, Hackett, Lyons and Holder. As members would know, two of these schools, at Cook and Lyons, have been reopened by this Government, and the future of the other three will be determined following consultation with local communities. The variation to Watson, section 13 block 1 (part), affects part of the site of the former Watson High School. The Government considers that the existing policy of community facility should be retained, pending further consultation with the community.

7 August 1991

Under the variation to Belconnen, section 154 block 2, the Alliance Government proposed to give it to the RSL for a retirement village. The site is on the western foreshores of Lake Ginninderra and is part of the open space around the lake. There are extensive areas of open space around Lake Ginninderra, and the need for all of this will be reviewed in a comprehensive way by the ACT Planning Authority in the context of the draft Territory Plan which will be released for public comment before being considered by the Government. I will be talking with representatives of the RSL to determine an alternative site for their proposal.

The final variation which has been revoked affected the Downer Local Centre. The Government will ask the ACT Planning Authority to prepare a further variation for the centre but excluding the site of the Industry Training Development Centre, which is the former primary school building.

The variations will remain before the Assembly for the next six sitting days, until 11 September, during which time the Assembly may pass a resolution rejecting the whole or part of any of them. If such a resolution is not passed within this period, notices of approval will be published in the *Gazette* and the variations will come into effect on the day specified in the notices.

SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE Report and Statement

MR STEFANIAK, by leave: On behalf of Mrs Grassby, I present reports Nos 8 to 12 of 1991 of the Standing Committee on Scrutiny of Bills and Subordinate Legislation and I seek leave to make a brief statement on the reports.

Leave granted.

MR STEFANIAK: Reports Nos 8 to 11, which I have just tabled, were presented out of session pursuant to the committee's resolution of appointment. Report No. 12 details the committee's comments on 53 pieces of subordinate legislation. I commend the reports to the Assembly.

ELECTRICITY AND WATER (AMENDMENT) BILL 1991

MR BERRY (Minister for Health and Minister for Sport) (3.49): Mr Speaker, I present the Electricity and Water (Amendment) Bill 1991. I move:

That this Bill be agreed to in principle.

This Bill amends Part VIIIA of the Electricity and Water Act 1989, referred to in the amending Bill as the principal Act, so that fluoride can be returned to Canberra's water supply on a permanent basis. The Bill also will remove the requirement to have the addition of fluoride to the water supply approved by referendum. These provisions were introduced with the passage of a private members' Bill in September 1989.

I will also be introducing today a second Bill to repeal a series of Acts that provided for the suspension of the operation of Part VIIIA of the Electricity and Water Act and extensions of the time limit by which the suspension would terminate. The Acts are the Water Supply (Chemical Treatment) Act 1989, the Water Supply (Chemical Treatment) (Amendment) Act 1990 and the Water Supply (Chemical Treatment) (Amendment) Act 1991. These Acts allowed fluoride to be returned to the water supply on a temporary basis pending receipt of reports from the Standing Committee on Social Policy and the National Health and Medical Research Council.

Earlier I referred to the parent Electricity and Water Supply Act being amended as the result of presentation of a private members' Bill in 1989, which effectively removed fluoride from Canberra's, and Queanbeyan's, reticulated water supply. As a consequence, a great deal of community debate resulted, and the Government received many representations from health professionals to have fluoride returned to the water supply. Three weeks later, in October 1989, the Water Supply (Chemical Treatment) Act 1989 was enacted to suspend implementation of the first Act, with the Assembly referring the matter of fluoride to the Standing Committee on Social Policy for further investigation.

This Act was amended in 1990 and 1991, extending the period for retention of fluoride in the water supply until 31 August 1991. This was to allow receipt of the report on fluoride from the National Health and Medical Research Council so that it also could be considered by the standing committee and the public. The committee presented its report to the Legislative Assembly in February this year. The Government appreciates the contribution made by all sections of the community on this issue.

The interim report of the expert working group, formed to report to the National Health and Medical Research Council on the question of fluoride, was made to the National Health and Medical Research Council in late 1990, followed by a final report in June 1991.

7 August 1991

The report of the Standing Committee on Social Policy and the NHMRC reports are substantially the same inasmuch as they both recommend the continued fluoridation of drinking water. They differ in the recommended level of fluoride addition, the standing committee recommending 0.5 parts per million, while the NHMRC report recommends continuation at the present one part per million, subject to modulation in accordance with climatic variation. A third report, "Review of Fluoride - Benefits and Risks", produced by the United States Department of Health and Human Services in 1991, recommended a range of 0.7 to 1.2 parts per million.

The Government is opting to retain the present level of one part per million, equivalent to one milligram per litre, as expressed in the Bill, on the basis that the NHMRC recommendation was developed in a scientific study that is Australian based and takes into consideration conditions that are current to Australia generally, and that it is supported by a similar national scientific study in the United States which, although less specific in level recommendations, endorses a range of approved levels within which the NHMRC recommended level is midway.

The Government also has noted the two further recommendations of the standing committee's report that unfluoridated toothpaste should be readily available at prices comparable with fluoridated toothpaste, and that manufacturers should cease practices that make fluoridated toothpaste unduly enticing and palatable to children by the addition of colourings and flavourings.

It would be impractical, without all States and the Northern Territory passing similar legislation, for the ACT Government to legislate in this regard. However, Mr Speaker, the Government will certainly be making appropriate representations to toothpaste manufacturers to ensure that the standing committee's recommendations are made known. The Government also will encourage other health departments in Australia to do the same and in this regard will be raising the matter at the appropriate Federal and State council level.

The NHMRC recommendations go considerably further inasmuch as the report lists a number of educational initiatives directed at both children and adults to reduce the likelihood of excessive fluoride ingestion. Also, it is recommended that campaigns be conducted on the discretionary use of fluoride supplements other than toothpaste where a fluoridated water supply exists, and to ensure that consumption does not exceed recommended NHMRC levels in unfluoridated areas by the use of tablets and drops.

Within the limited resources of the ACT public health system, ACT Board of Health dentists and dental therapists will be encouraged to follow these recommendations, and the Government also will encourage private practice dentists to do the same.

The fluoride question has attracted considerable comment from the public and the local academic community. It has been widely debated and I am sure that the debate is not finished yet. While there will continue to be claims and counterclaims regarding the efficacy of fluoride addition to public water supplies, the Government's first priority must be the protection of public health. The peak public body for scientific research in Australia, the National Health and Medical Research Council, has now made several studies and each has given continuing support to the view that it is desirable to add fluoride to domestic water supplies, in recommended quantities, to protect and enhance the development of children's teeth and to maintain that protection to adulthood.

In presenting these Bills to the Assembly, Mr Speaker, the Government supports this view, accepts that fluoride addition to public water supplies is a most cost-effective measure to achieve such protection, and endorses other recommendations on the use of fluoride supplementation in toothpaste. I now table the Government's response to the report on the inquiry into water fluoridation in the ACT conducted by the Standing Committee on Social Policy and I present the explanatory memorandum for the Bill.

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

WATER SUPPLY (CHEMICAL TREATMENT) (REPEAL) BILL 1991

MR BERRY (Minister for Health and Minister for Sport) (3.58): Mr Speaker, I present the Water Supply (Chemical Treatment) (Repeal) Bill 1991. I move:

That this Bill be agreed to in principle.

Mr Speaker, as mentioned in the presentation of the Electricity and Water (Amendment) Bill 1991, this second Bill is to repeal a series of Acts - the Water Supply (Chemical Treatment) Act 1989, the Water Supply (Chemical Treatment) (Amendment) Act 1990 and the Water Supply (Chemical Treatment) (Amendment) Act 1991. These Acts provided for the suspension of the operation of Part VIIIA of the Electricity and Water Act, and extensions of the time limit by which the suspension would terminate.

The Acts allowed fluoride to be returned to the water supply on a temporary basis pending receipt of reports from the Standing Committee on Social Policy and the National Health and Medical Research Council. With the amendments proposed to the parent Act, there will be no further requirement to suspend the implementation of Part VIIIA of that Act. I now present the explanatory memorandum for the Bill.

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

7 August 1991

PLANNING, DEVELOPMENT AND INFRASTRUCTURE - STANDING COMMITTEE
Alteration of Reporting Date

MR KAINE (Leader of the Opposition) (3.59): Mr Speaker, I seek leave to move a motion to alter the reporting date of the Standing Committee on Planning, Development and Infrastructure's inquiry into the proposed 1991-92 new capital works program.

Leave granted.

MR KAINE: I move:

That the resolution of the Assembly of 2 May 1991, concerning the reference of the 1991-92 New Capital Works Program to the Standing Committee on Planning, Development and Infrastructure, as amended on 21 June 1991, be amended by omitting "by 15 August 1991" and substituting "by 23 August 1991".

Question resolved in the affirmative.

CONSERVATION, HERITAGE AND ENVIRONMENT - STANDING COMMITTEE
Report on Space Tracking Stations in Namadgi National Park

Debate resumed from 23 October 1990, on motion by **Dr Kinloch:**

That the recommendations be agreed to.

Mr Duby: Mr Speaker, I defer to the current Minister, Mr Wood.

MR WOOD (Minister for Education and the Arts and Minister for the Environment, Land and Planning) (4.01): Thank you, Mr Duby. I appreciate your generous gesture. I table the Government's response to the report of the Standing Committee on Conservation, Heritage and Environment on the space tracking stations in Namadgi National Park.

The tracking stations at Orroral Valley and Honeysuckle Creek are purpose built structures, or perhaps were purpose built structures, located within the park. They were part of the National Aeronautics and Space Administration space exploration program. NASA no longer require the facilities and the sites have been incorporated into the national park. The buildings are in a state of advanced decline and are substantially gutted and vandalised. We all regret the condition that they are now in. It was beyond the scope of this Government, since that occurred before this parliament was elected.

Mr Duby: Surely it was our fault.

MR WOOD: Not on this occasion, Mr Duby, no. It is a remarkable set of circumstances that such a range of buildings could have been allowed to degenerate to the stage they were; that the authorities at the time, both American and Commonwealth, did nothing to protect them. Possible use of these sites was addressed in the Namadgi management plan, which was adopted in 1986. The plan states that, should it be impractical to convert the buildings for a suitable use or to find workable management arrangements, the buildings should be removed. The ACT Parks and Conservation Service found using the buildings for management purposes to be totally impractical.

The Standing Committee on Conservation, Heritage and the Environment conducted an inquiry into the future of the space tracking stations and tabled a report on 23 October 1990. The report contains 14 recommendations concerning the demolition of the stations and the historical record that is to remain.

The committee has recommended that the sites not be made available for private development. Given the scale of the problems with connection to the electricity grid and concerns about treatment of wastes, it is unlikely that any commercial development at the sites would be viable. The committee believed that the sites were a valuable interpretation resource for visitors to Namadgi and that efforts should be made at the sites to present the story of the role of the facilities in space exploration. The Government supports those recommendations.

The committee recommended that a visible reminder be left of the extent of the buildings and that at the least the walls should be left standing to a height of 20 centimetres. At Honeysuckle Creek the committee suggested that an investigation be made of the feasibility of leaving the shell of the main building devoid of internal fittings.

The Environment and Conservation Division has investigated the committee's recommendations, with the assistance of ACT Public Works, and has recommended that the intention of the committee to leave a record for posterity can be met if the sites are demolished to floor level, leaving the slabs and footings intact. At both sites this would result in the outline of the buildings remaining, as most of the footings are above ground level.

Advice from ACT Public Works is that the main building at Honeysuckle Creek already requires significant restoration work and will continue to require maintenance for as long as it remains. To ignore this will result in significant risks to those who enter the sites, and may lead to damages claims against the ACT Government if an accident occurs.

7 August 1991

The Government believes that the intention of the committee to leave an historical record at the site can be met while still leaving the sites in a stable condition where they pose a minimal risk to visitors and require a minimal amount of recurrent funds to maintain.

The Government believes that the buildings should be demolished to floor level after a full documentation of the sites is complete. The sites should then be made available for public access, with information provided to explain the roles of the facilities in the exploration of space.

The cost of demolishing the tracking stations is estimated at \$213,000. It is possible that this may be reduced if materials can be salvaged during demolition. Full implementation of the recommendations of the committee's report could cost \$224,000 and there would be substantial recurrent costs in reversing the deterioration that has already occurred. The buildings are subject to continual vandalism and would require continuing expenditure to maintain them in safe condition.

The committee recommended that the Commonwealth Government be asked to fund the cost of the demolition. The Government agrees in part with this recommendation and will seek half the funds required for the demolition works.

In conclusion, the Government supports the majority of the recommendations made by the committee. It is important to record for the future the role that the facilities played in the exploration of space. Equally, it is clear that the presence of these comparatively modern, abandoned and vandalised buildings in the very attractive and rugged natural areas of Namadgi circumscribes future management and detracts from the visual amenity of the areas. Given the advice that it is not possible to retain the structures, the Government has decided that the demolition should proceed as soon as possible, without further reference to the standing committee but with full consultation with the ACT Heritage Committee.

I thank the committee for the excellent work they have done in this inquiry. They gave it their full attention and came up with proposals that I believe are substantially agreed. I am confident that they will accept the Government's response.

Mr Duby: Has the Government's response been circulated to members, Mr Speaker?

MR SPEAKER: Not that I am aware of, Mr Duby.

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

DISCHARGE OF ORDER OF THE DAY
Standing Committee Report on City Hill Billboard

MR WOOD (Minister for Education and the Arts and Minister for the Environment, Land and Planning) (4.09): Mr Speaker, I ask leave of the Assembly to move a motion concerning the discharge of order of the day No. 2, Assembly business.

Leave granted.

MR WOOD: I move:

That order of the day No. 2, Assembly business, relating to the Standing Committee on Planning, Development and Infrastructure's Report on City Hill Billboard be discharged from the Notice Paper.

I am removing this item from the paper as it is no longer relevant. I have removed the billboard, and the notice might as well follow. I read the report of the committee and I thought they were sound in their judgment. They said, "Knock it over", and I was only too happy to accede to that request. I consulted with my colleagues, of course, and we all agreed. I was quite delighted to pick up the phone one day and say, "Get it out", and a little while later away went the billboard.

The committee presented its report to the Assembly on 21 February. The Government considered the report and on 24 July made an announcement to give effect to the committee's recommendations. As a result, the billboard has been dismantled and it is appropriate that this order of the day be discharged; and there is widespread rejoicing about this in the community.

MR DUBY (4.11): Mr Speaker, I rise to refute absolutely that last statement by Mr Wood. It is well known that one of the few things that added a bit of life to the inner Civic area was the billboard, with its constantly changing and expanding panorama which met the people as they came down Northbourne Avenue. Who could forget the clown advertising the Canberra Festival or the scarecrow that advertised Environment Week, I believe - or was it the Canberra Show? I am not too sure.

It is remarkable, is it not, that a government that will not act on anything else acted with indecent haste in demolishing what had become a landmark within the Civic region. It was something which was, according to the opinion polls, extremely popular with the general population in the ACT. When you did your surveys of people in Civic, invariably you came out with the majority of people in favour of retention of the billboard. The statement that I would have made to the Assembly, in response to the committee's report recommending that it be removed, would have been that there are too many sites

7 August 1991

around that are regarded as sacred sites. One that really rankles with me in a way is City Hill. It is regarded by many people as being a sacred site to the ethos of Canberra. People forget that it is just a piece of dirt.

Mr Wood: Would you have knocked the billboard down?

MR DUBY: I certainly would not have removed the billboard. I would have strenuously opposed the removal of the billboard; put it that way. I would have been able, I am sure, to justify that decision in any council. Nevertheless, time moves on, and I suppose time will heal the wound of not seeing the billboard there advising the populace of the coming attractions on the Canberra calendar.

Mr Kaine: All the 11-year-old kids I spoke to wanted it left there.

Mrs Nolan: Most people did not know what was on it, though.

MR DUBY: No. Most people endorsed the concept of the billboard, I must admit. I was very sad to see it go. Nevertheless, it has gone. I think it would have been a little bit more appropriate for the Minister to have consulted with other members of the Assembly before he went on his path of vandalism.

DR KINLOCH (4.14): Mr Speaker, I briefly want to say that I think Mr DUBY takes some disappointments in life very well indeed, and he has done it with good humour. Perhaps we could have an annual party where we all gather up there at City Hill to raise our glass to the billboard.

MR HUMPHRIES (4.15): I rise to support Mr DUBY on this matter. The Liberal Party discussed this the other day and I think we took a position on it, but I have forgotten what that was. On that basis I propose to speak my mind on the matter. I certainly would have been out there chaining myself to the billboard if only I had known. Unfortunately, there was no consultation and I had no chance.

Mr Speaker, I think that this particular report by the Standing Committee on Planning, Development and Infrastructure is a salutary lesson in the nature of these sorts of inquiries and the question of whether such inquiries actually find out what people in the ACT think. There were 51 submissions received by the inquiry from a very wide range of individuals and organisations, including the ACT Heritage Committee, the Smith Family, the Australian Federal Police, the National Trust, and the faculty of environmental design at the ANU. So, there was a very wide range of views canvassed. The report records that only 10 of the 51 submissions received were in favour of retention of the billboard.

I was interested, though, Mr Speaker, to observe two reports, I think both on WIN television, both before and after the billboard was knocked down, in which a vox populi was conducted and the cameraman roamed around asking people in the Civic area what they thought. On the first occasion, before the billboard had been knocked down, I think six people were interviewed and five of the six said that they liked the billboard and wanted to see it retained. The sixth person expressed no view on the subject. A similar number of people were interviewed after the billboard had come down and all the people on that occasion expressed some regret that it had been knocked down.

So I think, Mr Speaker, that there is some role for asking ourselves whether people who make submissions to standing committees of this Assembly are necessarily, in all cases, spokespeople for all members of this community; whether in fact different views come out of such processes than actually is the representation of the view of the community. I do not say that WIN had any more right than the people who made submissions to the committee - perhaps they did not - but we ought not to assume that these processes invariably throw up the accurate view of the community.

Mr Wood: That is the same polling that you did at Weston Creek. That sounds about the same level.

MR HUMPHRIES: On the contrary, Mr Speaker. Mr Wood suggests that this is the same process as in Weston Creek. The people asked in that case were the people involved in the school community; the people who had a stake in the matter were all asked. Those who responded in this case were those who saw the ad in the newspaper and who felt strongly on the matter and wanted to make some submission to the committee.

So, we ought to be very careful before any of us come into this place and say, "Yes, we know what the community thinks. We have divined this through some extraordinary process of public consultation". It is always difficult to know what the community actually thinks and we ought to be very careful before we make any decisions about that. Of course, there is also a role for deciding what the community actually needs; what we actually think is the right thing to do on behalf of the community as well. Perhaps to follow too closely what the community wants is not entirely our role as members of this Assembly.

MR MOORE (4.18): Having heard Mr Humphries' speech on this matter, I feel that he has really just about done my tabling speech for the motion that is on the notice paper. I had hoped that we would get up today, but the Standing Committee on Administration and Procedures saw fit to put it after Dennis Stevenson's Bill and, of course, it did not get up today; but then, I had not gone to the trouble of informing the media that it would.

7 August 1991

The issue that Mr Humphries has raised, of course, is the methodology we should use when there are issues of such importance that we ought let the people decide them. Clearly, the only way to really determine what people think is to put issues to referendum. I would not suggest that the billboard issue should ever have gone to referendum, because it is certainly not of that calibre. Nevertheless, the concepts that are raised by Mr Humphries do reflect the need for that methodology to be available for us.

His attitude to the billboard and Mr Duby's attitude to the billboard are quite appalling. It is not so much an attitude to a billboard as an attitude to the ethos and the design and the sense of what Canberra is. They clearly do not have it. What they are looking to do is the sort of thing that I saw as I drove down southward from Queensland. There was billboard after billboard after billboard along the road. The vast majority of them were telling us how wonderful cigarettes are, and, of course, the City Hill billboard never did that. It was a chink in the armour. City Hill is not just a piece of dirt as Mr Duby would have us believe.

Mr Duby: As I contemptuously described it.

MR MOORE: Mr Duby now interjects, "Contemptuously described it". He will now interject and say, if I am not mistaken, that it is - - -

Mr Duby: Your sacred site.

MR MOORE: A sacred site. That is a part of the nature of Canberra. A sacred site is not a bad way to describe such areas as City Hill and the hilltops in Canberra. It is quite a good description - Canberra nature park. That is exactly what it should be and that is how it should happen. Therefore, Mr Speaker, I must say that I am absolutely delighted to see the end of this billboard.

MR JENSEN (4.21): Mr Speaker, I think there was some suggestion that I may be closing the debate on this, but I do not believe that that is correct, because Mr Wood, in fact, moved a motion to discharge the matter from the notice paper. So, it is not as if I am closing the debate. Mr Speaker, as one of the members of the committee that looked at this particular issue and was involved in preparing the report, I think it is important to remember that the area in which the billboard was located is under the control, for planning purposes, of the National Capital Planning Authority - not the Interim Territory Planning Authority, as it was then, or the now Territory Planning Authority.

It seems that this billboard was put up there on a temporary basis. When the bicentenary came along it was decided to turn it into a more permanent fixture, and that is where it stayed. It would seem that we could not,

during our investigations, find out how, when, where or why planning approval had been given. It appeared that it had not been given at any stage. It was quite clear from the evidence given to us by the National Capital Planning Authority, which had planning authority in that area, that it was not prepared to see the billboard continue. They were waiting for the Territory Government, which actually owned the thing, to take the necessary action to take it down.

I hope that my colleague Mr Wood, now the Minister, will ensure that the two planning authorities will get together and develop some of the concepts and ideas that were put to the committee in relation to the treatment of that very important part of the city. I think it is also important that the city itself be formally linked to City Hill so that City Hill can be used much more easily, and much more safely, by those people who work in the city; so that it becomes more than just a lung; it becomes a usable green lung, if you like, for the people who work in the city.

In view of the fact that it is land controlled for planning purposes by the Federal authorities - I seem to recall that it is designated land as well - I hope that the Federal authorities will do the development work that is required to improve and upgrade that part of City Hill, to extend the vista from Northbourne Avenue up the grove of trees that goes to the top of the hill, with the flag on top. I hope that the Government will make sure that there is a contribution on the part of the Federal authorities to the improvement and upgrading of this very important facility so that access can be gained not only by people who work in the centre of the city but also by visitors who come to Canberra and wish to participate and to see what in fact is a very important historical aspect and part of the past development of Canberra.

Anyone who has seen photographs and pictures, or even paintings, of that hill prior to its current existence will see the vast improvement that has been made to the ethos of that site by the very important plantings that I understand were overseen by Mr Weston, the gentleman who is well known for his commitment to and responsibility for the extensive groves of trees, particularly memorial groves of trees, that we find in the ACT.

In closing, Mr Speaker, let us not forget that now that the billboard is down action should be taken to improve and facilitate access to that site. I commend immediate action on the part of the Minister to ensure that work is commenced almost immediately, if it has not already been started, to further develop that very important site in the centre of our city.

Mr Wood: I will take that on board.

Question resolved in the affirmative.

7 August 1991

PERSONAL EXPLANATION

MR COLLAERY: Mr Speaker, I claim to have been inadvertently misrepresented and I seek leave to make a short statement under standing order 46.

MR SPEAKER: Please proceed.

MR COLLAERY: Thank you. In his ministerial statement relating to the tabling of variations of the Territory Plan the Minister, Mr Bill Wood, indicated in the statement which had been prepared for him that the Alliance had approved a variety of planning variations. I wish to place on the record that elements of the then Alliance Government, which was fast crashing at that time, approved these variations. The variation approvals were not submitted to Cabinet; they were not approved by me as a Minister or a member of the Government. I believe that that should be on the record.

Mr Wood: Mr Speaker, I am quite prepared to accept that. It certainly was the cause of a great deal of row.

AUDITOR-GENERAL - REPORT NO. 5 OF 1991 Efficiency Audit - ACT Housing Trust Programs

Debate resumed from 21 June 1991, on motion by **Mr Berry:**

That the Assembly takes note of the paper.

MR KAINE (Leader of the Opposition) (4.26): I will tailor my comments to the remaining time before the adjournment debate or the automatic adjournment. I moved that the debate on this paper be adjourned, because it is one of those reports which deal with off-budget matters. If the Assembly does not pick up matters like the Auditor-General's report and other documents that raise matters of this kind, then there simply is no scrutiny of the activities of operations like the Housing Trust.

Of course, the Public Accounts Committee will consider taking this on as a reference for review and the like, but there are matters that arise from such a report that I think ought to be mentioned in the Assembly. I would have thought that all members would be interested in reviewing such an Auditor-General's report, and reviewing its subject matter.

There are just two or three points that I think are worthwhile noting. The Auditor-General refers, for example, to performance indicators and he says:

The Trust should not regard the achievement of a budgeted level of expenditure as a valid performance indicator. Indicators should measure the effectiveness of expenditure rather than the level of expenditure.

That is a very good comment. Of course, the trust could spend many millions of dollars and yet not be effective in what it does. I note, Mr Speaker, that the Auditor-General has also acknowledged that the trust has picked up a lot of these things. There is no dispute that they are probably addressing them and making sure that their performance is better in the future. He raises questions about the size of the housing waiting list and suggests that there should be a target set to measure the effectiveness of the performance of the waiting list - just who is on the waiting list and whether they really are genuine candidates for assistance from the Housing Trust. He says that they should review those with short-term needs and those whose circumstances are such that they could be assisted by forms of assistance other than an allocation out of the housing stock.

I think these are very important observations on the part of the Auditor-General and ones which the Housing Trust management and this Assembly should take on board. He refers to the spot purchase of houses rather than building them and suggests that there is some spot purchasing at the end of a financial year just to use up funds that happen to be available. This really does not do everything that it could do in terms of satisfying housing needs, certainly not in boosting the housing industry and our local economy. I think that is a fair comment. He speaks, Mr Speaker, about savings that might be achieved. He says:

... should ... the reduction of arrears to 40 per cent of fortnightly rental income net of rebate be achieved, there would be a saving of more than \$400,000 a year.

That is a very significant amount. He says that a similar amount could be achieved by reductions in the vacancy turnaround period, greater control over expenditure on housing stock maintenance and upgrades, greater use of the rental relief scheme and a reduction in rental rebates.

So, Mr Speaker, we are talking about a potential saving here of something of the order of \$800,000 - approaching a million dollars a year. They are very useful comments.

The trust obviously has taken these comments to heart and the Auditor-General acknowledges that; but I think it is worthwhile the members of this Assembly also noting that there is a very large level of activity out there in trusts

7 August 1991

such as this which are off budget and we should be scrutinising it. I repeat, Mr Speaker, that the Public Accounts Committee will probably take this Auditor-General's report, as it has done with all of the others, review it and, if necessary, report back to the Assembly on those matters we think are significant.

Debate interrupted.

ADJOURNMENT

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

That the Assembly do now adjourn.

Electricity and Water Authority

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.31): I want to take a few minutes of the time in the adjournment debate to publicly commend and congratulate officers of ACTEW. As people would be aware, we had a severe storm in Canberra yesterday afternoon and last evening. The paper this morning reported that it was the worst storm in some 24 years.

As a result of that, during the last 36 hours a lot of ACTEW crews have been out on the roads. Last night there were some 60 ACTEW personnel who worked right through the night. A few of them, I am told, were able to get a bit of a tea break at about 12.30 am. Many were not able to take advantage of even that. The last of the crews came back into the depots about 4.30 am after completing, in many cases, some 14 hours without a break in extremely difficult and unpleasant weather conditions and, of course, right through the night.

During the 36-hour period of the storm some 5,000 people suffered a loss of supply of power at one stage or another, but due to the exemplary work of the ACTEW crews most people had power supplies back on within an hour. The majority of problems were caused by trees falling. It was the efficient work of the ACTEW crews through the night - mopping up, chopping down those trees and putting power back on - that made most Canberrans able to wake up this morning with power on. I think that exemplifies the service that ACTEW provides to the community and I commend all those ACTEW crew members who worked through last night to ensure that Canberrans had power supplies.

Organised Crime and X-Rated Video Industry Allegations

MR STEVENSON (4.33): I wish to make clear a matter that I believe has been misrepresented. When I gave information about a certain police officer I did not say that it was a member of the Australian Federal Police Force. I wish to advise that the appropriate letter of information has been drawn and is in transit to the appropriate internal investigations department of the State police force from which the officer mentioned today is on attachment. I advise that the officer is not an Australian Federal Police officer and at no time did I say in the Assembly that he was.

Mr Connolly: But when I said that you should take it up with Bates, you said, "I am doing it". You did not retract at the time.

MR STEVENSON: That is not a concern; I am perfectly happy to do that as well. As he is on attachment in this area, that needs to be done as well. The reason, I might mention, that I did not name the person at this time was that it looks like he was part of a deliberate misinformation program to, let us say, lay the trail cold. I only just found out about that in the last couple of days in dealing with media and members, some of whom were well aware of what I said. I could not imagine how anyone could possibly suggest that the evidence that I presented in this parliament was anything other than totally valid, as there have been, as I mentioned, two police investigations conducted and a third already ongoing.

However, I started to realise that people had been told that there was no substance in it. In investigating that, I found out that there was a police officer who was spreading that information. It may be that he did not know that what he was doing was spreading a false trail. I do not believe that to be the case; but, on that million to one chance, that was the reason I did not name the person.

Organised Crime and X-Rated Video Industry Allegations

MR MOORE (4.35): Mr Speaker, I think it is important to say at this time that when members argue conspiracy theory with lack of logic and without validating their arguments they are highly unlikely to convince any other member of this parliament or member of the public that what they are on about is in fact a sensible and rational course of action. I think Dennis Stevenson's actions today reinforce that significantly.

Question resolved in the affirmative.

Assembly adjourned at 4.36 pm